

Third Series Vol, XLVII - No. 6

Thursday, November 11, 1965
Kartika 20, 1887 (Saka)

LOK SABHA DEBATES

(Thirteenth Session)



(Vol. XLVII contains Nos. 1 - 10)

**LOK SABHA SECRETARIAT
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LOK SABHA DEBATES

1261

1262

LOK SABHA

Thursday, November 11, 1965/Kartika
20, 1887 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Industrial Finance Corporation

- +
- *150. Shri D. C. Sharma:
Dr. L. M. Singhvi:
Shri P. R. Chakraverti:
Shri K. N. Tiwary:
Shri Yashpal Singh:
Shri Kapur Singh:

Will the Minister of Finance be pleased to state:

(a) whether the Industrial Finance Corporation has redefined its loan policy, particularly in the context of the defence requirements; and

(b) whether Government propose to lay a statement on the Table outlining the salient features of the revised policy?

The Minister of Planning (Shri B. R. Bhagat): (a) and (b). A statement is laid on the Table of the House. [Placed in Library. See No. LT-5122/65].

Shri D. C. Sharma: What are the reasons that have prompted the Industrial Finance Corporation not to undertake this kind of work which it was supposed to do?

Shri B. R. Bhagat: I think, they are doing what they have been intended by Parliament to do.

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Shri D. C. Sharma: May I know whether any loans will be forthcoming from the Industrial Finance Corporation in order to meet our defence requirements? That is what I wanted to know.

Shri B. R. Bhagat: That is given the first priority. I think, the hon. Member does not seem to have the statement.

Shri D. C. Sharma: I have had the statement and I have read it.

Shri P. R. Chakraverti: In the context of the assistance that has been given by this Corporation only to three States to the extent of more than 50 per cent, may I know whether Government will advise them to take to the development of the less-developed States as for example Bihar?

Shri B. R. Bhagat: This point has been raised in Parliament in several discussions including the discussion on the IFC's Annual Report, and the IFC Board is aware of this. They go by the scheme that they have before them, the profitability of it and the contribution it is going to make; but they bear in mind also the State-wise distribution.

श्री क० बा० तिवारी : स्टेटमेंट के नम्बर 2 में दिया गया है कि एग्रीकल्चर के लिये भी प्रायोरिटी दी जायेगी तो मैं यह जानना चाहता हूँ कि पावर टिन्स, ट्रेक्टर्स और एम्पिंग मैशिन बरीरह के लिए जो कि एग्रीकल्चर में मोस्ट इम्पोर्टन्ट हैं कितनी कितनी फौंडरीज खोली गयी हैं और उस के लिए कितना रुपया रक्बा गया है ?

श्री ब० रा० भगत : इस की सूचना मेरे पास नहीं है ।

श्री यशपाल सिंह : सरकार ने कभी इस बात पर गौर किया है कि यह वित्त निगम जो शहरों में कायम होता है उस से किसानों को फायदा नहीं पहुंच सकता है जब तक कि किसानों के लिए देहांत में यह निगम कायम न हों और तब तक वह फायदा नहीं उठा सकते हैं तो सरकार इस मामले में क्या कार्यवाही कर रही है ?

श्री ब० रा० भगत : देहांत में भी अगर कोई फैक्टरी बनेगी तो वह शहर बन जाता है।

Shri Kapur Singh: Are Government aware that the setting up of the ancillary units of HMT at Pinjore has been held up for the last year and a half owing to non-availability of a paltry loan of Rs. 50 lakhs by this Corporation; if so, what do the Government propose to do in this matter?

Shri B. R. Bhagat: I shall look into this specific matter; I have not got that information with me just now.

Shri Basappa: May I know the total amount of loan applications pending now and the resources available with the Corporation?

Shri B. R. Bhagat: The financial assistance sanctioned by the Corporation so far is Rs. 226 crores—Rs. 156 crores have been disbursed and outstanding is Rs. 117 crores. Recently, on a request of the IPC we have provided them with another Rs. 10 crores for their operations.

Mr. Speaker: He had asked about the number of applications pending.

श्री बच्चू लिवणे : राज्यात 20,000 से छोटी बड़ी प्रोद्योगिक यंत्रित नष्ट हो गयी है और हमारे मीमावती इलाकों में भी ऐसा हुआ है तो क्या विशेष सुविधाओं की जांच कर इंस्ट्रुक्शन फाइनेंस कारपोरेशन करती उस में

इन यंत्रों का प्रारंभ उन की आवश्यकताओं का भी ब्याल किया जाएगा ?

श्री ब० रा० भगत : जिन के पास वहां यह स्कीमें आयेंगी उन का ध्यान रखेंगे मगर उन के पास रिसोर्सेज की भी अब कमी हो गयी है ।

Shrimati Savitri Nigam: May I know what has been the impact felt by these new lines of priority and what is the percentage of the accumulated applications which have been disposed of on the basis of the new lines of priority?

Shri B. R. Bhagat: The new lines have been particularly defence oriented and the emphasis has been laid on them only recently and it would take some time to see the impact of that.

Shri P. Venkatasubbalah: May I know whether Government propose to give a directive to the Industrial Finance Corporation to provide adequate financial assistance to some of the joint stock companies through which the Government wanted to hand over land to the people for increasing food production?

Shri B. R. Bhagat: No, Sir.

श्री तुलसीदास जाधव : नम्बर दो स्टेटमेंट में एग््रीकल्चर के लिये मीमेंट देने के लिए भी कहा है लेकिन आज कल यह मीमेंट का कंट्रोल निकालने में मीमेंट नहीं मिलेगा इस सब के लिए तो सरकार क्या करेगी ?

श्री ब० रा० भगत : जब मीमेंट का कंट्रोल हटाया गया तो इन सब बातों को सोचा गया था ।

श्री तुलसीदास जाधव : उस प्रश्न के लिए मिलेगा कौन कौनसे मीमेंट बाजार में मिलता नहीं ।

श्री ब० रा० भगत : घब भिन्नेगा ।

Family Planning Programme

+

- *151. **Shri D. C. Sharma:**
Shri Yashpal Singh:
Shri Bagri:
Shri Madhu Limaye:
Shri Bhanu Prakash Singh:
Shri M. Rampure:
Shri Kanakasabai:
Shri Mohammed Koya:

Will the Minister of Health be pleased to state:

(a) whether it is a fact that a decision has been taken to village-orient the family planning programme, concentrating its attack on the population problem in the rural rather than in urban areas; and

(b) if so, the steps taken or proposed to be taken to implement this decision?

The Deputy Minister in the Ministry of Health (Shri P. S. Naskar): (a) The family planning programme is being implemented with equal emphasis both in urban and rural areas.

(b) Does not arise.

Shri D. C. Sharma: May I know how many family planning clinics are working at present in the urban areas of India and how many are working in the rural areas of India? If the hon. Minister is not able to give the exact figures, she may give a rough idea.

The Minister of Health (Dr. Sushila Nayar): About 9,000 family planning clinics are in the rural areas and about 1,500 to 2,000 are in the urban areas.

Shri D. C. Sharma: When the number of villages in this country runs into several lakhs, may I know how the family planning programme is going to be tackled by these 9,000 family planning clinics and what is the target laid down for the Fourth Five Year Plan?

Dr. Sushila Nayar: There are about 3,200 community blocks in the coun-

try. Each of these should have a primary health centre. At present, there are about 4,200 centres. But all the 5,200 and odd blocks should have primary health centres in the Fourth Plan. Secondly, at present, we have a target of 3 sub-centres for each primary health centre. All of them do not have these 3 sub-centres at present. Now we have raised the target to 6 sub-centres under every primary health centre and we expect to achieve that target in the Fourth Plan. This means that there will be a sub-centre roughly for every 10,000 persons or 2,000 families to give them the necessary advice and assistance in the matter of family planning and other things.

श्री यशपाल सिंह: प्राज लड़ाई जीतने के दो ही तरीके हैं, न्यूक्लियर वैपंस या जवान। अब न्यूक्लियर वैपंस को तो सरकार मना करती है और एटम बम वह बनायेगी नहीं और दूसरे वह जवानों के लिये फैमिली प्लानिंग शुरू हो गयी तो यह लड़ाई कैसे जीती जायगी? दोनों में से एक तो अपनाता पड़ेगा। दोनों में से एक बान तो माननी ही पड़ेगी।

अध्यक्ष महोदय: अब पाकिस्तान की लड़ाई में जो प्राज पैदा हों क्या उन को माननीय सदस्य लड़ाना चाहते हैं?

श्री यशपाल सिंह: लड़ाई कोई एक दिन की तो है नहीं। मित्रों सुटो तो कर ही रहे हैं कि लड़ाई हजार साल की होगी।

श्री मधु लिमये: यह कुटुम्ब नियोजन के प्रशिक्षण को सफल बनाने के लिये क्या संस्कृत-सदस्यों, विद्वान सभाओं के सदस्यों, पंचायतों के सदस्यों और जो 90 लाख सरकारी और निम्न सरकारी नौकर हैं, उन को यह शिक्षण दो गई है कि कुटुम्ब नियोजन की योजना पर वह स्वयं प्रयत्न करें और दूसरों को भी प्रयत्न करने के लिए प्रेरित करें।

डा० सुशिला नायर: प्रधान, माननीय सदस्यों की ता मैं ने स्वयं पर भी विश्वास है उन को महायुता भावने के लिये और जहां तक

सरकारी नौकर है, उन का भी इस बारे में सलाह दी जाती है और उन की सहायता भी सब जगह पर मांगी जाती है।

श्री जगदेव सिंह सिद्धान्ती : जैसा कि अभी माननीय सदस्य, श्री यशपाल सिंह, ने पूछा है, क्या सरकार वीर बहादुरों को उत्पन्न करने में बाधा डालने वाले परिवार-नियोजन के ऐसे भ्रष्ट कार्यक्रम को वापस लेने पर विचार कर रही है ?

डा० सुशीला नायर : श्रीमन्, माननीय सदस्य द्वारा कही गयी दोनों बातें ही ठीक नहीं हैं। यह कार्यक्रम भ्रष्ट नहीं है—शुद्ध है। और वीर सन्तानों को उत्पन्न करने में कोई बाधा नहीं है। इतना ही कहा जाता है कि दस बच्चे पैदा किये जायें और सात मर जायें, ऐसी परिस्थिति की जगह पर तीन ही बच्चे पैदा हों और तीनों ही जिन्दा रहें, इस का आयोजन किया जाये।

श्रीमती जमना बेबी : अभी स्वास्थ्य मंत्री जी ने जवाब में कहा है कि इस योजना को सफल बनाने के लिए शहरों और ग्रामीण क्षेत्रों में समान रूप से प्रयत्न किये जा रहे हैं। शहरों में जितनी अच्छी व्यवस्था है, ग्रामीण क्षेत्रों में उतनी अच्छी व्यवस्था नहीं है। इस लिये स्वास्थ्य मंत्री ने जो कहा है, वह गलत है। मैं पूछना चाहती हूँ कि क्या स्वास्थ्य मंत्री जी को यह ध्यान है कि ग्रामीण क्षेत्रों में, जहाँ पर दो हजार, तीन हजार की आबादी में आज भी अस्पताल नहीं है, न ब्लाक स्तर पर पूरा स्टाफ है और न वहाँ पर ठीक व्यवस्था है, यदि हाँ, तो इस व्यवस्था को सुधारने के लिये और इस योजना को सफल बनाने के लिये क्या प्रयत्न किये जा रहे हैं।

डा० सुशीला नायर : मैंने अभी निवेदन किया है कि हम चाहते हैं कि सारे देश में ऐसे केन्द्रों का एक जाल बिछाया जाय, ताकि किसी को सलाह-मशविरा के लिये अधिक दूर न जान पड़े। इस के अलावा सेंट्रज में जो कार्यकर्ता होंगे, वे घर-घर जा कर सलाह-

मशविरा देंगे। प्राइमरी हेल्थ सेंट्रज में भी स्टाफ बढ़ाया जा रहा है, ताकि यहाँ पर महिला-डाक्टर रहें, जो महिलाओं की ज्यादा मदद कर सकें और पुरुष-डाक्टर पुरुषों को मदद दे सकें, यह सारा आयोजन किया जा रहा है।

श्रीमती विमला देशमुख : माननीय स्वास्थ्य मंत्री जी ने बताया है कि ऐसे केन्द्रों का जाल बिछाया जा रहा है। मैं यह जानना चाहती हूँ कि खास तौर पर देहात में ऐसे केन्द्र स्थापित करने में कितना समय लगेगा।

डा० सुशीला नायर : चौथी पंच-वर्षीय योजना में शीघ्रतिशीघ्र हमारी कोशिश होगी कि यह कार्यक्रम सब जगह पर पहुँच जाये।

श्री श्रीकार लाल बेरवा : गांवों में जहाँ अब भी हेल्थ सेंटर बने हुए हैं, वे डाक्टरों की कमी के कारण बंद हो जा रहे हैं। क्या सरकार के पास डाक्टरों की इतनी कमी है; अगर है, तो वह कमी कितनी है और वह कमी कब तक पूरी हो जायेगी, ताकि यह योजना ठीक प्रकार से चलाई जा सके ?

डा० सुशीला नायर : मैंने पहले भी कुछ सवालियों के जवाब में यहाँ निवेदन किया है कि जो 4200 या 4300 सेंटर हैं, उन में से 400 या 500 जगहों पर डाक्टरों की कमी है। बाकी में डाक्टर मौजूद हैं। अब हम सब सेंट्रज में दो-दो डाक्टर पहुँचाने की योजना करना चाहते हैं। उस के लिए हम कुछ विचारधियों को स्कालरशिप दे कर उन से बांध लेने की योजना बना रहे हैं, ताकि वे ग्रामीण कार्य के लिये उपलब्ध हो सकें।

Shrimati Jyotsna Chanda: May I know whether it is a fact that the family planning programme is more popular among women-folk rather than among men-folk and, if so, what steps Government propose to take to popularise it among men?

Dr. Sushila Nayar: It is true that women are more anxious to have the advice and follow the family planning methods than men are.

Mr. Speaker: Here too they are more anxious to ask questions.

Dr. Sushila Nayar: Under the re-organized scheme, it is proposed to have some male workers along with female workers.

Shrimati Akkamma Devi: In the rural areas a large number of people with a large number of children are appointed as family planning workers and they are facing a volley of questions from the rural population. May I know whether the Government of India is aware of this and whether any action has been taken in this respect?

Dr. Sushila Nayar: Generally we prefer to have family planning workers with small families, but in some cases we do take workers with larger families also, because from their personal experience they can tell the people how harmful it is to have a large family.

श्री विष्णम प्रसाद : कुछ बड़े घरसरों और मोटे मोटे सेठों को छोड़ कर घरसर लोगों और गरीबों के ज्यादा बच्चे होते हैं ।

एक माननीय सदस्य : खास कर घाप के ।

श्री विष्णम प्रसाद : उस का कारण यह है कि गरीबों के रिक्रीएशन के लिए सरकार ने कोई व्यवस्था नहीं की है । मैं यह जानना चाहता हूँ कि क्या सरकार ने उस पर विचार किया है और यह जानने की कोशिश की है कि क्यों बच्चे ज्यादा होते हैं और वे कैसे रोके जा सकते हैं ।

डा० सुशीला नायर : यह बात सही है कि गरीब और अशिक्षित परिवारों में कुटुम्ब ज्यादा बढ़ा होता है, बच्चे ज्यादा होते हैं । इसलिये फैमिली प्लानिंग को सफल बनाने

के लिए तालीम की तरफ भी खास तबज्जह देने की आवश्यकता है और हम लोग उस पर जोर दे रहे हैं ।

Shri Kapur Singh: He enquired recreation facilities, and the hon. Minister is replying about education.

Dr. Sushila Nayar: May I submit for the hon. Member's information that some surveys which were carried out have disclosed that the size of the family was directly proportionate to the level of education particularly of the women?

श्री हुकम चन्द कच्छवाय : क्या यह सही है कि इस परिवार-नियोजन के कार्यक्रम में बहुसंख्यक लोग ही ज्यादा भाग लेते हैं और अल्पसंख्यक लोग कम भाग लेते हैं, अर्थात्, मुसलमान लोग इस कार्यक्रम में बिल्कुल हिस्सा नहीं लेते हैं और हिन्दुओं पर ही परिवार-नियोजन ज्यादा लागू किया जाता है ?

अध्यक्ष महोदय : वे तो सब को कहते हैं । जो चाहे इस को स्वीकार कर ले । अगर घाप नहीं लेना चाहते हैं, तो वे घाप को मजबूर तो नहीं करते हैं ।

श्री शिव नारायण : मेरा प्रश्न श्री यशपाल सिंह के प्रश्न से संबन्धित है । हमारा देश एक धार्मिक मनोबुत्ति का देश रहा है । मैं यह जानना चाहता हूँ कि सरकार जितना रुपया फैमिली प्लानिंग पर खर्च कर रही है, उतना रुपया वह ब्रह्मचर्य-पालन और अच्छी शिक्षा पर क्यों नहीं खर्च करती है ।

Shri D. C. Sharma: He has got eight children.

अध्यक्ष महोदय : श्री डी० सी० शर्मा को उस पर ऐतराज है ।

श्री रघुनाथ सिंह : क्या यह सच है कि मोहम्मदन एरिया में, मुस्लिम पापुलेशन में, फैमिली प्लानिंग सबसेसफल नहीं हो रहा है; यदि हाँ, तो मोहम्मदन एरिया में इस को

सबसेसफल बनाने के लिये क्या इन्तजाम किया जा रहा है ?

डा० सुशीला नायर : यह बात सही नहीं है कि फॉर्मली प्लानिंग की एक्सेटेंस या उस के प्रति रेसिसटेंस का कुछ धर्म के माध्यम सम्बन्ध है, लेकिन यह बात सही है कि जितनी बैंकवर्ड कोई कम्युनिटी होती है, उतनी उस में ज्यादा रेसिसटेंस होती है। कोशिश यह की जा रही है कि सब ग्रुप्स में उन के विश्वासपात्र लोगों को ले कर इस कार्य को उन तक पहुंचाया जाय।

अध्यक्ष महोदय : मैं ने स्वामी जी को जान-बूझ कर वक्त नहीं दिया है।

श्री रामेश्वरानन्द : अध्यक्ष महोदय, मेरे साथ यह व्यवहार क्यों ?

World Bank Loans

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*153. **Shri Shree Narayan Das:**

Shri Basappa:

Dr. Ranen Sen:

Shri Dinen Bhattacharya:

Shri Yashpal Singh:

Shri Prakash Vir Shastri:

Shri Kapur Singh:

Shri Kajroikar:

Shri Jashwant Mehta:

Will the Minister of Finance be pleased to state:

(a) whether the situation arising out of the present Indo-Pakistan conflict has had any adverse effect on the loans, credits and other commitments of the World Bank and its two affiliates made to India for her economic development; and

(b) if so, the nature and extent to which these have been affected?

The Minister of Planning (Shri B. R. Bhagat): (a) No, Sir.

(b) Does not arise.

Shri Shree Narayan Das: May I know whether, besides the past commitments made by these bodies to India, the Government of India has

made an approach for fresh loans and credit, and if so, the reaction and response of these bodies?

Shri B. R. Bhagat: This year's pledge amounts to 105 million dollars for the Bank and 145 million dollars for the IDA.

Shri Shree Narayan Das: I wanted to know whether, besides past commitments, the Government of India had made a fresh approach for fresh loans and credit, and if so, the reaction of these bodies.

Shri B. R. Bhagat: I said about this year. It is the latest.

Shri Shree Narayan Das: May I know whether, in view of the fact that the UK and USA have suspended economic aid to India, the Government of India is going to make fresh proposals to these bodies to give the assistance necessary for the continuance of our projects?

Shri B. R. Bhagat: The Bank and the IDA officials have announced that they continue to make disbursements on the existing loans and they are also processing the pending applications in the normal manner.

Shri Basappa: May I know whether the bank has been helpful in getting our consortium aid and, if so, what is the nature of that aid and whether we have got on the directorate of the world bank any representative and, if so, what is the role of that person there?

Shri B. R. Bhagat: For the third plan period they had been able to provide substantial aid; the bank's own commitment for the third plan runs into a figure of 1185 million dollars. We are fully represented on the bank; we are one of the founder members of the bank; the Finance Minister is there on the board of governors; and we have an executive director who is permanently there.

Dr. Ranen Sen: Is it a fact that the government has not been able to draw its 100 million dollars from the

IDA which is an affiliate of the world bank because of the fact that the US government did not agree to give the matching grant of 39 million dollars which is one of the terms of credit of the world bank and, if so, what is the reaction of the government in this regard?

Shri B. R. Bhagat: I am not particularly aware of this grant but it is true that sometimes, because the matching grant provided by the US government was not forthcoming, it landed us in difficulty in utilising the other grant because the project as a whole has to be viewed and arrangements made.

श्री यशपाल सिंह : जो वादे घाय से किये गये थे क्या उन वादों को विश्व बैंक ने पूरा किया है ? क्या सरकार के ध्यान में यह भी बात आई है कि इच्छोगिल नहर से एक बीघा जमीन को भी पानी नहीं मिलता है और वह सिर्फ हिन्दुस्तान का मुकाबला करने के लिए बनाई गई है ? क्या विश्व बैंक ने इस मामले में कोई दखल दिया है ?

प्रत्यक्ष महोदय : इच्छोगिल नहर के बारे में तो कल हो लिया है ।

श्री ब० रा० भगत : बैंक ने जो भी कर्ज दिये हैं या वादे किये, उनको उसने पूरा किया है । उन्होंने घोषणा भी की है कि हम उनको पूरा करेंगे ।

Shri Kapur Singh: I would like to know whether any default or repudiation on our part of commitments to the world bank is likely to affect adversely the bank's credit facilities to us?

Shri B. R. Bhagat: We have not repudiated any.

Shri Kapur Singh: If we did, is it likely to affect us adversely?

Mr. Speaker: That question does not arise.

Shri Kajrolkar: How far are the world bank's decisions about credit

and loans taken independently of the Aid India consortium or how far are they influenced by the consortium?

Shri B. R. Bhagat: To the extent that they have organised the consortium and they are the convener, they influence the consortium measures; in return they may be influenced by the consortium.

Shrimati Savitri Nigam: Is it a fact that there is a general feeling among the representatives of the developing countries that the service charge rates and the rates of interest charged by the world bank are too high and, if so, what is the feeling of India? What is the profit earned by the world Bank this year?

Shri B. R. Bhagat: That is all there in the annual report. It is true that the representatives of the developing countries voiced this feeling every year and it is for this reason that the affiliate of the bank, the IDA, was created to provide what is known as softer loans, long-term loans at lower rate of interest. But the difficulty with the bank is that they borrow at certain rates of interest from the world money market and their lending rates are also determined by them.

Shrimati Savitri Nigam: The last part of my question has not been replied to. What has been the net profit of the world bank?

Mr. Speaker: He said that it is contained in the report.

Shri Shivaji Rao S. Deshmukh: May I know whether India's permanent director on the world bank has been directed to enquire whether the contribution of the United States and Commonwealth countries to India's development fund has been suspended as a result of an embargo due to Indo-Pak relations?

Shri B. R. Bhagat: That does not arise out of this question.

If the hon. Member wants to know, he may give notice.

Mr. Speaker: Yesterday, we had that discussion.

Shri Shivaji Rao S. Deshmukh: My question is whether the Government has given instructions to our permanent director to enquire whether the contribution by the USA and the commonwealth countries to the Indus Development Fund stands suspended because of the result of the embargo on Indo-Pakistan trade?

Shri B. R. Bhagat: That is not the function of the Bank.

Shri Shivaji Rao S. Deshmukh: Will they make enquiries?

Mr. Speaker: Order, order. It was all answered yesterday.

Shri R. Ramanathan Chettiar: In view of the fact that Japan, West Germany, Canada and the United States have held up our loans, and they being members of the Aid India Club under the auspices of the World Bank, what steps will Government take to bring to the notice of the World Bank that they are violating the principle of giving aid to India?

Shri B. R. Bhagat: They are not violating the principles of giving aid to India. They have not said that in so many words, so far as the countries other than the USA are concerned, that they are not giving. But so far as the USA is concerned, what they have said is that the future aid will be considered in consultation with the members of the Congress. That is the only thing they have said.

Shri R. Ramanathan Chettiar: Japan and West Germany.

Shri B. R. Bhagat: They have not said that.

श्री रामेश्वरानन्द : विश्व बैंक से सहायता ले कर जो देश अपने विकास कार्य में लगाता है क्या विश्व बैंक उसको देखता है कि वह रुपया उसी कार्य में लगाता है

अथवा नहीं ? यदि हां, तो क्या पाकिस्तान ने विश्व बैंक से रुपया ले कर जो इन्डोगिल नहर का निर्माण किया, क्या विश्व बैंक ने यह देखा या नहीं कि उस नहर से सिंचाई होती है या नहीं ? अगर होती है तो क्या विश्व बैंक ने मंत्री महोदय को इस के बारे में कुछ बताया है या मंत्री महोदय ने विश्व बैंक से इसके बारे में कोई जानकारी ली है ?

श्री ब० रा० भात : यह कर्जा विश्व बैंक से भारत को मिलने वाला है, न कि विश्व बैंक जो पाकिस्तान को कर्जा देता है, वह है ।

अध्यक्ष महोदय : उनका पहला सवाल यह है कि विश्व बैंक रुपया जिस देश को देता है, वह क्या यह भी देखता है या नहीं कि वह रुपया उसी काम में लगाया जाता है जिस काम के लिये दिया जाता है ?

श्री ब० रा० भगत : देखता है। जहां तक भारत का सम्बन्ध है वह उन सब बातों को देखता है ।

श्री रामेश्वरानन्द : पाकिस्तान ने इन्डोगिल नहर उस रुपये से बनाई है या नहीं इस के बारे में भी मैंने

अध्यक्ष महोदय : इन्डोगिल नहर कल हो चुकी है ।

श्री रामेश्वरानन्द : इससे उसका सम्बन्ध है । जैसे हमारे यहां विकास होता है, उस कार्य को यदि वह देखता है तो . . .

अध्यक्ष महोदय : आपने क्या बोल लिया था ।

श्री रामेश्वरानन्द : जैसे हम विकास कार्य के लिये उन से रुपया लेते हैं और वह उस कार्य को देखता है । उसी तरह से क्या पाकिस्तान ने इन्डोगिल नहर का निर्माण रुपया ले कर जो किया है उसको भी वे देखते हैं या नहीं देखते हैं ।

अध्यक्ष महोदय : कल जवाब हो चुका है ।

Shri P. Venkatasubbalah: May I know whether the World Bank has been sounded regarding the financial assistance to be given for our fourth Plan projects and, if so, to what extent?

Shri B. R. Bhagat: Not yet, Sir.

Shri P. C. Borooah: May I know whether past experience has shown that there is an ideological bias in the World Bank against Government institutions or corporations and, if so, how far that situation has changed?

Shri B. R. Bhagat: It has not suffered. An undercurrent may be there, but so far it has not prevented them from giving aid to the projects.

Expenditure on Advertisements

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*154. **Shri P. C. Borooah:**
Shri Ram Sewak Yadav:
Shri Madhu Limaye:
Shri Bagri:
Shri Yashpal Singh:

Will the Minister of Finance be pleased to state:

(a) whether Government have finalised the rules for limiting tax free expenditure on advertisement, travel and guest houses; and

(b) if so, the salient features of these rules?

The Deputy Minister in the Ministry of Finance (Shri Rameshwar Sahu): (a) and (b). No, Sir. The draft rules relating to the allowance of expenditure on advertisements, travel and guest houses were published in the Gazette of India on 27th August, 1965, for eliciting public opinion. The last date for receiving comments on these rules was the 31st of October, 1965. These comments are being scrutinised.

A copy of the draft rules is laid on the Table of the House. [Placed in Library. See No. LT-5123/65].

Shri P. C. Borooah: May I know whether the contemplated restrictions on the free flow of advertisements to the different agencies are not an encroachment upon the fundamental rights provided for under article 19(g) of the Constitution and, if so, whether the Government contemplates to refer this matter to the Supreme Court for studying the constitutional validity of the measure?

The Minister of Planning (Shri B. R. Bhagat): No, Sir. It is not an encroachment on fundamental rights.

Shri P. C. Borooah: Will the Government consider giving relief to the assesseees who sustain loss thereby, just as has been provided under the Gold Control Order, and who lose their business?

Shri B. R. Bhagat: No, Sir. We do not contemplate giving of any relief.

श्री मधु लिमये : पहला तो मेरा एक व्यवस्था का प्रश्न है। इन्होंने प्रश्नोत्तर के घंट के दस पंद्रह मिनट पहले यह हम को दिया है। अब आप देखें कि यह छोटे से टाइप में छः पन्ने हैं। आप ही अध्यक्ष महोदय बतायें कि ये छः पन्ने हम कब पढ़ेंगे और उसके ऊपर उपप्रश्न कब करेंगे ?

अध्यक्ष महोदय : व्यवस्था नहीं हो सकती है। स्टेटमेंट उन्होंने साथ दिया है। उसी वक्त मिल सकता है।

श्री मधु लिमये : आप स्वयं देख लीजिये कि कितना भी बुद्धिमान भादमी हो उसको कितना समय पढ़ने में लग सकता है।

अध्यक्ष महोदय : इस वक्त तो मैं यही कह सकता हूँ कि इसी तरह से होता है और स्टेटमेंट सवालों के साथ ही मिलते हैं।

श्री मधु लिमये : सवाल मेरा यह है कि जहाँ तक विज्ञापनों का सम्बन्ध है कई दवा

बनाने वाली कम्पनियों है वह बहुत गन्दी दवायें बनाती हैं और कहती हैं विज्ञापनों के द्वारा कि फलां फलां बीमारियों का यह इलाज है। तो क्या ऐसी दवायों के विज्ञापनों पर रोक लगाई जायेगी, और अगर रोक लगाना सम्भव नहीं है वर्तमान कानून के अन्दर, तो क्या कम से कम उन के ऊपर जबर्दस्त टैक्स लगाया जायेगा।

अध्यक्ष महोदय : यह सवाल तो बिल्कुल भ्रलाहदा है, मधु लिमये जी। यहां बात यह है कि जो कम्पनियां इस्तहारबाजी पर बहुत ज्यादा खर्च करती हैं उन पर क्या पाबन्दी लगाई जाये ताकि उस का सारा खर्च टैक्स में से न निकाला जा सके। लेकिन यह कहना कि थूँक गन्दी दवायें बनाते हैं इस लिये वह अपने एडवर्टाइजमेंट न दें या उस पर टैक्स ज्यादा दें यह नहीं हो सकता है।

श्री हुकम चन्द कछवाय : मैं जानना चाहता हूँ कि हम विदेशों में जो प्रचार करते हैं उस पर प्रति वर्ष विज्ञापनों के रूप में कितना खर्च करते हैं।

अध्यक्ष महोदय : इस का इस सवाल से कोई ताल्लुक नहीं है।

श्री यशपाल सिंह : जो हमारे प्रतिधिगृह हैं उन में पनामा सिगरेट के लिये और तम्बाकू के सेवन के लिये जो विज्ञापन पर खर्च किया जाता है वह हमारे घर्म के भी खिलाफ है और हमारे कल्चर के भी खिलाफ है। तो मैं जानना चाहता हूँ कि क्या सरकार ने यह सोचा है कि इस पर रोक लगाई जाये और किसी प्रतिधि गृह या किसी दूसरी जगह पर इन चीजों की इजाजत न दी जाये।

अध्यक्ष महोदय : ठाकुर साहब, सवाल यह है कि टैक्स वाले किन को इजाजत दें और किन को न दें। कौन से एडवर्टाइजमेंट्स प्रनाऊ करें। यह प्राम एडवर्टाइजमेंट का सवाल नहीं है।

श्री यशपाल सिंह : एडवर्टाइजमेंट पर बहुत ज्यादा खर्च किया जाता है।

अध्यक्ष महोदय : वह भ्रलाहदा चीज है, इस को इस वक्त नहीं लिया जा सकता।

Shri Indrajit Gupta: Apart from the expenditure on advertisements, is there any proposal to limit also the amount of space which can be occupied by the advertisements . . .

Mr. Speaker: That also is given in that.

Shri Indrajit Gupta: I do not think it is given in that. There is no mention of advertising space in newspapers which is being increasingly . . .

Mr. Speaker: Somewhere there is mention of "half page" and all that.

Shri B. R. Bhagat: There is some such thing.

श्री इन्द्रजीत गुप्त : प्राप को मालूम है, उन को नहीं मालूम है।

श्री मधु लिमये : अध्यक्ष महोदय, मेरी प्राप से फिर यह विनती है कि यह बयान बहुत सम्बा है। इस को प्रागे किसी वक्त लिया जाये।

अध्यक्ष महोदय : लिमये साहब, मैं भी प्राभी पढ़ कर प्राया हूँ।

श्री ब० रा० भगत : यह बयान 28 तारीख को एक्स्ट्रा प्राडिनरी गजट में छप गया था।

अध्यक्ष महोदय : प्राब प्राप उस को देख रहे हैं इसलिये वह एतराज कर रहे हैं, प्राप को उस को पढ़ कर प्राना चाहिये था।

श्री काशी राम गुप्त : यह जो नियम बनाये जा रहे हैं वह ब्यक्तिगत फर्म, रजिस्टर्ड फर्म, कोषापरिटिब सोसायटी, और निमेटड फर्म सब पर एक प्रकार से लागू होंगे और वह उन की जितनी खर्च करने की ताकत है

उस हालत पर होंगे या बराबर-बराबर होंगे।

श्री ब० रा० भगत : यह सब पर लागू होगा। जो भी कम्पनिया या व्यक्तिगत फर्म एडवर्टाइजमेंट करती है सब पर यह लागू होगा।

Raid on Import and Export Firm in Bombay

*155. **Shri Hari Vishnu Kamath:** Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 686 on the 16th September, 1965 regarding raid on an Import-Export Firm in Bombay and state:

(a) whether the investigation by the Enforcement Directorate has since been completed; and

(b) if so, with what result?

The Deputy Minister in the Ministry of Finance (Shri Rameshwar Sahu): (a) No, Sir.

(b) Does not arise.

Shri Hari Vishnu Kamath: May I, Sir, invite your attention to the fact of the unconscionable delay that has been, as usual, going on in this rather unsavoury matter. The raid was conducted, according to the answer given on the earlier occasion, in the last session, in February. Today we are in November, almost the fag end of the year, and still the investigation has not been completed. May I know what the name of the firm is, and has any deadline been set or is being set for the completion of this investigation by the Enforcement Directorate—two years, three years or something like that?

The Minister of Planning (Shri B. B. Bhagat): If the hon. Member wants the name of the firm, Sir, I can give it.

Mr. Speaker: He has asked for the name and it is for the Minister to answer.

Shri B. B. Bhagat: I have no objection, but so far our practice has been that only when the investigation is completed we give out the name. But if you permit I can give the name.

Mr. Speaker: Yes.

Shri B. B. Bhagat: The name of the firm is: Messrs. Indian Overseas Trading Company, Bombay-3. I will ask the Directorate to complete the investigation as quickly as possible.

Mr. Speaker: He wants to know whether any target has been fixed within which it has to be completed.

Shri B. B. Bhagat: No, no time or date has been fixed.

Shri Hari Vishnu Kamath: Is there any truth in certain reports that this firm is one of the numerous benefactors of the Congress Party and that is why the government's tongue is tied and the mind is stilled over this matter?

Shri B. B. Bhagat: It is very unfair; it is absolutely untrue.

Shri Hari Vishnu Kamath: What is unfair, Sir? Has it given Rs. 1 or 2 lakhs to the Congress Party?

Mr. Speaker: He denies that.

Shri Hari Vishnu Kamath: What is unfair, Sir?

Shri B. B. Bhagat: The charge is unfair.

Mr. Speaker: The imputation is unfair.

Shri Hari Vishnu Kamath: Does he know? If he does not know, he cannot say it is unfair.

Mr. Speaker: He has repudiated it; he says it is not correct. Next question.

Shri Hari Vishnu Kamath: I will take it up again.

Raising of Land Revenue by States

- +
- *157. **Shri Yashpal Singh:**
Shri Kapur Singh:
Shri P. R. Chakraverti:
Shri K. N. Tiwary:
Shri P. K. Deo:
Shri Ram Sewak Yadav:
Shri Madhu Limaye:
Shri Onkar Lal Berwa:
Shri Brij Raj Singh:
Shri Gokaran Prasad:
Shri D. D. Puri:

Will the Minister of Planning be pleased to state:

(a) whether the Planning Commission has requested the State Governments to raise the land revenue;

(b) if so, the reasons therefor; and

(c) whether any ceiling has been suggested for this purpose?

The Minister of Planning (Shri B. R. Bhagat): (a) and (b). Planning Commission has suggested to the State Governments that for raising additional resources for the Plan, land revenue rates be raised.

(c) No, Sir.

श्री यशपाल सिंह : क्या सरकार ने इस पर गौर कर लिया है कि किसान इस वक्त देश के लिये सब से बड़ी कुर्बानी दे रहे हैं और उसके बटे खुद कट रहे हैं, और ऐसी हालत में अगर एक पैसा भी जमीन का लगान बढ़ाया गया तो यह किसान के साथ सब से बड़ा धन्याय होगा ।

श्री ब० रा० भगत : आज जब देश की सुरक्षा के लिये और देश की प्रगति के लिये साधन जुटाने हैं तो हर घादमी की मदद की जरूरत है चाहे वह किसान हो चाहे व्यापारी हो या दूसरे काम करने वाले हों । सब को इस वक्त कुर्बानी करनी होगी ।

श्री यशपाल सिंह : मेरे कहने का मतलब यह है कि जो लोग धमीर हैं वह न पैसा दे रहे हैं और न अपने बच्चे कटवा रहे हैं ।

जब तक आप उन से पूरा पैसा वसूल न कर लें तब तक किसानों के ऊपर इस तरह से जबर्दस्ती लगान बढ़ाना समाजवाद के खिलाफ है और राज्य सरकारों को शोभा नहीं देता है । ऐसी हालत में क्या गवर्नमेंट इस तरह के इंस्ट्रक्शन्स देगी कि इस मामले को यहीं रोका जाये ।

श्री ब० रा० भगत : पिछले कई सालों में गांवों में जितनी धनाज की उपज बढ़ी है और उन के दाम बढ़े हैं उस से यह धन्दाजा लगाया गया है कि गांव वालों की आमदनी बढ़ी है ।

श्री रामेश्वरानन्द : खर्च कितना बढ़ा है ।

श्री ब० रा० भगत : गांवों से जो पैसा लैंड रेवेन्यू का घाता है वह सारी रूरल इनकम के 2 प्रति शत के लगभग है । यह जो बढ़ाया गया है इस में अनुमान लगाया गया है कि इस से ज्यादा प्रभाव नहीं पड़ेगा ।

Shri Kapur Singh: Is it true that the real object of this enhancement is to destroy private ownership in land and to degrade land-owners into agrarian workers?

Shri B. R. Bhagat: No; that is not true.

Shri P. R. Chakraverti: What are the guidelines suggested by the Planning Commission? Have they suggested that this revenue-raising factor should be a graded one, so as to exempt uneconomic land?

Shri B. R. Bhagat: The suggestion made by the Planning Commission is that the first five acres should be exempted and the others should pay more.

श्री क० ना० तिवारी : क्या प्लानिंग कमिशन को यह मालूम है कि परमानेंट सेट्लमेन्ट वाली स्टेट्स में जिन लोगों के साथ पहले जमीन बन्दोबस्त हो गया उन की लैंड रेवेन्यू बहुत कम है । बाद में जिन लोगों के साथ बन्दोबस्त किया गया है उन की लैंड रेवेन्यू बहुत ज्यादा है । तो क्या उन स्टेट्स

को यह सजेशन दिया गया है, जहाँ पर कि इस वक्त परमानेंट सेटलमेंट है और लैंड रेवेन्यू बहुत कम है, 4 या 8 भा० है और जमीन उपजाऊ है, कि उन की लैंड रेवेन्यू बढ़ाई जाये और जिन की लैंड रेवेन्यू बाद में ठीक की गई है उन की बढ़ाई न जाये।

श्री ब० रा० भगत: यह तो तफसील की बातें हैं और राज्य सरकार के मातहत हैं। उन को अधिकार है कि इन बातों को सोच कर जैसा उचित समझे वैसा करें।

श्री क० ना० तिवारी: मेरा कहना यह है कि . . .

अध्यक्ष महोदय: माननीय सदस्य ने सजेशन दे दिया और मंत्री महोदय ने सुन लिया। वह इस पर गौर करेंगे।

Shri Ranga: In view of the fact that the Andhra High Court has declared the Additional Revenue Assessment Act of Andhra State as unconstitutional, because the land revenue has been raised by 100, 150 and sometimes even 200 per cent, and also in view of the fact that the Prime Minister has suggested to this government, including this minister, that the water rates and water tax should be dropped, have Government given any consideration to the injustice of imposing any more land revenue assessment upon peasants in addition to what they are paying like everybody else by way of other taxes, including central excises and State excises?

Shri B. R. Bhagat: The context in which the Planning Commission had advised the States was the need for raising more resources because the demand in the present context for development and defence was increasing.

Shri Ranga: And for wastage.

Shri B. R. Bhagat: They have suggested irrigation rates, sales tax and other things. Land revenue is one of the methods. It is for the State Gov-

ernments to act upon them in the conditions prevailing there.

Shri Ranga: And the Prime Minister's advice goes by the board. It is only a slogan.

Shri B. R. Bhagat: It is a suggestion.

Shri Nath Pal: Had the Planning Commission, before making this recommendation for raising land revenue to the State Governments, studied this fact that the total land revenue collected in India is in the vicinity of Rs. 100 crores and, therefore, totally inadequate in terms of the national income? If so, have they taken into consideration the desirability of abolishing land revenue and substituting it by agricultural income-tax?

Shri B. R. Bhagat: These, along with other suggestions, had also been considered. In the present context in whatever form agricultural income-tax is introduced, unless it is very steep and excessive, it will not compensate for all the loss in land revenue. A better suggestion was let there be State trading in foodgrains and the profits on that make up the loss in land revenue. These are some of the suggestions that have been considered.

श्री मधु लिंगये: क्या सरकार का ध्यान इस बात की ओर गया है कि नवम्बर के प्रारम्भ में संयुक्त सोशलिस्ट पार्टी, कम्युनिस्ट पार्टी, रिपब्लिकन पार्टी, ग्रेटकार कामगार पार्टी आदि सात पार्टियों ने सरकार से एक प्रस्ताव द्वारा मांग की है कि देश में खेती की पैदावार बढ़ाने के लिए छोटे किसानों पर से नगान बिल्कुल हटाया जाये और उनके लिए मुफ्त सिंचाई का इन्तिजाम किया जाये?

श्री ब० रा० भगत: प्रश्नकारों में पढ़ा है।

श्री मधु लिंगये: प्राप के पास प्रस्ताव थाया या नहीं प्राप बताइए।

अध्यक्ष महोदय : आप के पास उन्होंने कुछ भेजा ?

श्री ब० रा० भगत : मैं ने इस आशय की खबर जरूर पढ़ी है, मगर जैसा मैं ने बताया प्लानिंग कमीशन ने इन सब बातों पर विचार करके राज्य सरकारों को सलाह दी है, राज्य सरकारें उस सलाह को राज्य की हालत को देखते हुए मानें या न मानें ।

श्री श्रींकार लाल बरवा : मैं यह जानना चाहूंगा कि क्या राज्य सरकारों के पास से कोई आपत्ति आयी है, भ्रगर आयी है तो किन किन राज्यों ने आपत्ति की है ?

श्री ब० रा० भगत : यू० पी०, मद्रास, ईस्ट बंगाल ने तो इसे माना है । यू० पी० ने तो इसे लागू भी किया है । मद्रास के मुख्य मंत्री ने कहा है कि वह लागू करने जा रहे हैं । ईस्ट बंगाल ने भी माना है । दो एक राज्य सरकारों ने—जैसे मध्य प्रदेश—दिवकत जाहिर की है ।

श्री श्रींकार लाल बरवा : राजस्थान ने इसे माना है या नहीं ?

श्री ब० रा० भगत : राजस्थान ने कोई लेखना अभी नहीं आयी है ।

श्री इ० ना० तिवारी : क्या सरकार को मालूम है कि दो तीन वर्ष पहले बिहार और यू० पी० में लगान बढ़ाने का प्रस्ताव पास हुआ था और गवर्नमेंट बढ़ाने जा रही थी, लेकिन लोगों की हालत देख कर उसको ड्राप कर देना पड़ा ? इस वक्त प्लानिंग कमीशन या गवर्नमेंट कैसे समझती है कि इस वक्त बढ़ाने से वह कारगर हो जाएंगे ?

श्री ब० रा० भगत : अभी कलकत्ते में चीफ मिनिस्टर बंगाल, बिहार और उड़ीसा के साथ फाइनेंस मिनिस्टर और डिप्टी चेयरमैन प्लानिंग की बात हुई थी और उन्होंने माना था कि इसको लागू करेंगे । जहां तक बिहार का सवाल है, भ्रगर वह साधन नहीं

जुटाएंगे तो अगले साल का प्लान ठीक से नहीं बनेगा । इन सब बातों को देख कर उनको अधिक साधन जुटाने की जरूरत है ।

श्री अ० सि० सहगल : काश्तकार को फरटीलाइजर का पे करना पड़ता है, पानी का पे करना पड़ता है, पंचायत का टैक्स देना पड़ता है । इन सब टैक्सों को देखते हुए क्या आप प्लानिंग कमीशन को राय देंगे कि उसके लैंड रेवेन्यू को बढ़ाया जाये ?

श्री ब० रा० भगत : मैं ने तो पहले बताया कि इन सब बातों को देख कर ही यह राय दी गयी है ।

Shri Muthiah: May I know whether the State Governments are being advised not to raise land revenue in the case of farmers who own less than five acres?

Shri B. R. Bhagat: The original proposal of the Planning Commission contained this advice about surcharge.

Dr. Sarojini Mahishi: May I know whether the Planning Commission, while requesting the State Governments to raise land revenue, has also asked them to make a distinction between lands under food crop cultivation and lands under cash crop cultivation and also to see that a particular percentage of the cultivated land is brought under food crop cultivation?

Shri B. R. Bhagat: The scheme suggested by the Planning Commission prescribed a graduated scale in which the first five acres were exempt from surcharge. For commercial crops they had suggested that there should be a special surcharge on commercial crops.

Mr. Speaker: Next question.

श्री रामेश्वरानन्द : अध्यक्ष महोदय, इधर भी देखिए ।

श्री सरजू पाण्डेय : यह बहुत महत्व का सवाल है ।

अध्यक्ष महोदय : महत्व का तो है, लेकिन इस पर दस मिनट हो चुका है।

Foreign Private Investment

- *158. Shri P. E. Chakraverti:
Shri P. C. Borooah:
Shri M. Rampure:
Shri Kanakambal:
Shri Mohammed Koya:
Dr. Ranen Sen:
Shri Dinen Bhattacharya:

Will the Minister of Finance be pleased to state:

(a) whether the Secretary of his Ministry asked for more private investments during his recent visit to New York; and

(b) if so, with what results?

The Minister of Planning (Shri B. R. Bhagat): (a) and (b). The Finance Secretary, while attending meetings in New York, only elucidated certain aspects of foreign investments in India. It is hoped these clarifications will pave the way for more foreign private investment in this country in suitable cases.

Shri P. R. Chakraverti: May I know whether any provision has been made to scrutinise the proposals case by case and, if so, what are the criteria in terms of which those proposals are found acceptable?

Shri B. R. Bhagat: The policy about this has been laid before the House. The discussions in the World Bank are not the occasion to go case by case. But the balance of advantage lies either in export orientation or in certain crucial fields where technical know-how is necessary for development. We allow private foreign investment where they should make a contribution.

Shri P. R. Chakraverti: May I know whether the existing trends of foreign investment give any indication that the private investors will now be increasingly taking over from inter-governmental investment in the economic future of India?

Shri B. R. Bhagat: So far the trend does not indicate that, but I hope that in certain other fields if foreign investment comes, we will welcome it.

Shri P. C. Borooah: Instead of getting any assurance from the US the Finance Secretary was confronted with the suggestion that India should be more lenient towards Pakistan in regard to Kashmir. If so, is the prospect of US private investment also as bleak as Government investment?

Shri B. R. Bhagat: To the extent that it is coloured by political considerations, it may be.

Dr. Ranen Sen: When Shri Bhoothalingam visited the United States he had talks with various industrialists and capitalists of New York. Is it a fact that most of the industrialists, investors, wanted the Secretary, Shri Bhoothalingam, to convey it to the Government of India to change the policy in regard to private investment from foreign countries in India so that it gets more weightage than the State sector in India?

Shri B. R. Bhagat: I am not aware of the details of the discussions that took place, but generally they may have expressed how foreign investment can be more attractive. That may be one thing; but on what terms it should be acceptable to us is very well laid down in the Government policy and the representative of the Government cannot go beyond that.

Shri Indrajit Gupta: Sir, may I raise a point of order because the hon. Minister is misleading the House completely both in reply to a question by Shri Chakraverti a little while ago and in reply to Dr. Ranen Sen just now? Both these questions were specifically on the point whether the Finance Secretary had stated in America that private foreign investment was to replace inter-governmental aid. In both the cases, if I heard the Minister aright he replied that this was not the present policy and that there was no indication of

this. I suggest that this is a complete misstatement of fact. I am raising the point of order because in the Indian Investment Centre's monthly newsletter, the full text of Mr. Boothalingam's speech on the 4th of October before the America Council of Commerce and Industry is given. I quote only one sentence:

"As we progress, it is our hope that private foreign investment will increasingly take over from inter-governmental aid."

He has spoken as a representative of our Government explaining the policy we want to pursue. It is in direct contradiction to what the Minister said.

Dr. Ramesh Sen: That was my question.

Shri Kapur Singh: I want to raise one ancillary point of order.

Shri B. R. Bhagat: The question asked was whether the trend was such that the private foreign investment would take over from inter-governmental aid. I said that so far the trend does not indicate that. I specifically said that in certain fields, we will welcome private investments. I do not think there is any contradiction.

Shri Indrajit Gupta: Since when is it the Government's policy that we want foreign private investments to replace inter-governmental aid? Is this the Government's declared policy?

Shri B. R. Bhagat: I do not know in what context he said that. . . .

Shri Indrajit Gupta: You go through the whole speech. Here it is.

Shri B. R. Bhagat: That may have been an expression of opinion. But it is not the Government policy as such.

Shri Kapur Singh: I want to raise one ancillary point of order. I want your ruling on this. I want to know whether or not it is the accepted

privilege of the Treasury Benches to mislead the House so long as they are not found out.

Shri H. N. Mukerjee: Pursuing that point, with your permission, I say that Mr. Boothalingam is reported to have said officially what was quoted here. The Minister had said earlier that the official could not go against the policy of Government. But that particular sentence militated against the policy of Government. But that particular sentence militated against the policy of Government. I wish to say if that report is correct. If it is not, then the official concerned had gone beyond his jurisdiction to say like that.

Mr. Speaker: The Minister has said that it might be his personal view and that this is not the policy of Government. He has contradicted that.

Shri Ranga: Can we have a Government which would allow its Secretary to go round to these international conferences and make speeches like that? That is where the point of order comes. Is it permissible in this House for a Minister to say that the Secretary to the Government of India can go on expressing his personal views and the Minister is not prepared to do anything at all?

Mr. Speaker: The Minister should look into it. Next Question.

Shri Parashar: I would like to know whether the Secretary went as a representative of the Government or in his personal capacity. . . . (Interruption).

Common Power Grid for Eastern Zone

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- *159. **Shri Vishwa Nath Pandey:**
Shri Ram Harkh Yadav:
Shri P. R. Chakraverti:
Shri P. C. Borooah:
Dr. Ramesh Sen:
Shri Dinan Bhattacharya:
Shri Onkar Lal Berwa:
Shri Brij Raj Singh:

**Shri Gokaran Prasad:
Shri Hukam Chand
Kachhavaitya:**

Will the Minister of Irrigation and Power be pleased to state:

(a) whether arrangements have been made to set up common power grid for the States comprising the Eastern Zone;

(b) whether the Chairmen of the Electricity Boards of Bihar, West Bengal and Orissa had agreed in principle to inter-connecting power lines within the zone;

(c) how the cost and revenues of the common grid are proposed to be shared; and

(d) whether the transmission lines of all the power projects in this zone would come under the common grid, its working being co-ordinated by a Zonal Advisory Board?

The Deputy Minister in the Ministry of Irrigation and Power (Shri Shyam Dhar Misra): (a) to (d). A statement giving the required information is laid on the Table of the House. [Placed in Library. See No. LT-5124/65].

श्री बिड़बनाथ पाण्डेय : पूर्वी क्षेत्र के राज्यों के लिए संयुक्त बिजली ग्रिड बनाने की जो व्यवस्था की गई है मैं यह जानना चाहता हूँ कि इस प्रकार की योजना से पूरे भारत में कितना लाभ होगा और कब तक यह योजना पूरी होगी ?

श्री श्यामधर मिश्र : श्रीमन्, पूरे भारत में इस से कई प्रकार के लाभ होंगे। सब से बड़ा लाभ तो यह होगा कि हमें पावर फेल्टोर से जो दिक्कत होती है वह न होगी और पावर का हम मैक्सिमम यूज ठीक से कर सकेंगे। लेकिन जहाँ तक फाइनेंसियल लाभ का सवाल है। अगर यह ग्रिड सिस्टम पूरी तरह से चतुर्थ पंचवर्षीय योजना में पूरा हो जायगा तो

उससे करीब-करीब कैपिटल सेविंग 200 करोड़ रुपये की होगी और पावर सेविंग करीब-करीब आधा मिलियन किलोवाट की होगी। पूरे भारतवर्ष में पांच ग्रिडों से इस का लाभ होगा।

श्री बिड़बनाथ पाण्डेय : यह योजना कब तक पूरी हो जायगी ?

श्री श्यामधर मिश्र : यह रिजनल ग्रिड की जो योजना है यह चतुर्थ पंचवर्षीय योजना के अन्त तक पूरी हो जायेगी और यह जो आल इंडिया ग्रिड की हम लोग सोच रहे हैं, वह शायद पंचम पंचवर्षीय योजना तक पूरी हो जायगी।

Shri P. R. Chakraverti: In the context of the unhappy disputes that continue between Bengal and Bihar over the D.V.C. administration, may I know whether Government has evolved a definite scheme of setting up an agency to avoid further such disputes?

Shri Shyam Dhar Misra: There is already a Regional Electricity Agency of Bihar, West Bengal and Orissa; it was set up sometime in 1964. That Agency, along with the Central Electricity Authority, takes care of all the disputes that arise between the States.

Shri P. C. Borooah: May I know why Assam is not being associated with the Grid for the Eastern Zone? Is it because Assam is considered to be far behind in the matter of power production? If so, why has the most important Kopili Project has been deferred from Plan to Plan?

The Minister of Irrigation and Power (Dr. K. L. Rao): That is treated as a separate zone. We are thinking whether we should connect Cooch-Behar with Bongaigaon (Assam).

Dr. Ranen Sen: Is it a fact that, in respect of this common power grid, there is a dispute among the States over the quota?

Shri Shyam Dhar Misra: There is always more demand than what can be allocated and that is the whole reason. There is no question of any dispute among the States. Here the question relates to the maximum utilisation of power and we have thought that the regional grid system will ensure the maximum utilisation of power.

श्री श्रीकार लाल बेरवा : गांधी सागर में बिजली की कमी होने के कारण राजस्थान, मध्य प्रदेश और अन्य क्षेत्रों में बिजली की भारी कमी उत्पन्न हुई है तो क्या राजस्थान में भी यह प्रिड योजना बनाई जायेगी और यदि हां तो बिजली का बंटवारा किस आधार पर किया जायेगा?

Dr. K. L. Rao: Rajasthan is at the present moment isolated except for the fact that it is connected with the Punjab. It is intended that, in the next one or two years, it will be connected with Madhya Pradesh and Gujarat, so that the exchange of power can be had and this kind of difficulty that we are having now will be overcome.

श्री हुकम चन्द कछवाय : यह बंटवारा किस आधार पर किया जायेगा ? वह वैसे के आधार पर किया जायगा या केन्द्रीय सरकार के आधार पर किया जायगा ?

श्री श्यामधर मिश्र : वह जवाब में दिया गया है। बंटवारा जो बिजली का होगा वह दूरी के अनुसार होगा। जो बिजली मिलेगी उसी के अनुसार होगा। अब यह तो कोई फैसला नहीं हो सकता कि मध्य प्रदेश से कितनी उसको बिजली दी जाय या राजस्थान या दिल्ली से कितनी बिजली दी जायगी। यह तो दूरी और बिजली पर निर्भर होगा।

श्री हुकम चन्द कछवाय : भिन्न-भिन्न प्रान्तों के अन्दर जो बिजली उत्पादन की जाती है तो उस के उत्पादन करने में तो सरकारें पैसा लगाती हैं लेकिन जहां बिजली मिलने का सवाल है उसमें अनेकों प्रान्तों में झगड़े खड़े हो जाते हैं तो यह झगड़े खड़े न हों इसके लिए वह कोई व्यवस्था करने जा रहे हैं और जिसने जितना पैसा लगाया है उसको उतनी ही बिजली दी जाय क्या इस के लिए कोई ऐसी संस्था बनाने जा रहे हैं ताकि यह झगड़े न हो जैसे कि उदाहरण के लिए उत्तर प्रदेश और मध्य प्रदेश में इस बारे में झगड़ा हो रहा है ?

Dr. K. L. Rao: There is not really much of a difficulty in regard to distribution. Only due to insufficiency of funds, we are not going to establish as many grids as we would like to. Regarding disputes, they are not of a major nature; they are not giving us any trouble.

Shri A. P. Sharma: In view of the establishment of the power grid on zonal basis, will the Government ensure that the requirement of the State where the power supply is located is served first and then only the surplus power is diverted to any other State?

Dr. K. L. Rao: Quite so. First the requirement of that State will be met.

Shri Priya Gupta: In view of the fact that electric power is going to be supplied under a common grid system, may I know whether the Government has given any thought in respect of uniformity of tariff charges for the electricity supplied to industrialists, public sector and consumers?

Shri Shyam Dhar Misra: The Government is constantly giving thought to uniformity of rates. Recently some Committees were appointed and they have already recommended that there should be rationalisation of tariff

charges in regard to all types, including industrial, domestic and agricultural. So the Government is already seized of this problem.

Shri Basumatari: In view of the fact that Assam has the lowest power installation but the resources are full, may I know why the Government of India is so shy of installing more power in the State of Assam?

Dr. K. L. Rao: Assam has not been the lowest. We are having some schemes and in another one year we feel that Assam will have, if not a very large amount of power, at least adequate power.

श्री रामेश्वरानन्द : घब से दो बर्ष पहले पंजाब के विद्युत् मंत्री श्री राव साहब में एक विशेष बैठक हुई थी और उनका विचार था कि चकरोता से ऊपर जमुना पर इस प्रकार का बांध बने, जिस से बहुत बिजली निकल सके, जो कि पंजाब और उससे घागे तक जा सके । मैं यह जानना चाहता हूँ कि क्या वह योजना कार्यरूप में परिणत हो रही है या वह ठप्य पड़ी हुई है ?

Dr. K. L. Rao: The project on the river Tons of the distributary of the Jamuna is under investigation. It is under preparation by U.P. It is a common project between the three States of Himachal Pradesh, Punjab and UP, and we hope that the report will be ready soon.

श्री काशीराम गुप्त : मंत्री महोदय ने बताया है कि राजस्थान को पंजाब और दिल्ली से जोड़ा गया है जोन में और घब उसको गुजरात से भी जोड़ा जायेगा । मैं यह जानना चाहता हूँ कि जो जोन बनाए गये थे, क्या उनका कोई वैज्ञानिक आधार नहीं था, इसलिये ऐसा करने की आवश्यकता पड़ी या इसके कोई और विशेष कारण हैं ।

श्री श्यामधर मिश्र : जो जोन बनाए गये हैं, वे ज्योग्राफी के अनुसार हैं, लेकिन उस के मानी ब नहीं हैं कि केवल जोन में एक प्रान्त से दूसरे प्रान्त को बिजली मिलेगी । जैसे, उत्तर प्रदेश और बिहार एक जोन में नहीं हैं, लेकिन घाज भी उत्तर प्रदेश और बिहार के इलाके को बी० बी० सी० से कनेक्ट कर के रिहंद की पावर दी जाती है । बिहार यह है कि पांचवीं पंचवर्षीय योजना में एक घाल-इंडिया घिड़ कर दिया जाये । इसलिये गुजरात से राजस्थान को पावर घाने की जो सम्भावना है, उस पर विचार किया जा रहा है ।

WRITTEN ANSWERS TO QUESTIONS

Illegal Exchange of Indian Money into Foreign Currency

*152. **Shrimati Sharda Mukerjee:** Will the Minister of Finance be pleased to state:

(a) whether illegal exchange of Indian money into foreign currency is on the increase; and

(b) the number of arrests made during the last six months for such offences?

The Deputy Minister in the Ministry of Finance (Shri Rameshwar Sahu): (a) Government have no reason to believe that illegal exchange of Indian money into foreign currency is on the increase.

(b) Ten arrests have been made during the last six months for illegal exchange of Indian money into foreign currency or for possession of foreign currency unauthorisedly.

Foreign Exchange for Defence Production

*156. **Shri S. M. Banerjee:** Will the Minister of Finance be pleased to state:

(a) whether adequate foreign exchange has been provided for manu-

facturing articles for defence purposes; and

(b) whether defence production will not suffer because of shortage of foreign exchange?

The Minister of Planning (Shri B. R. Bhagat): (a) Yes, Sir.

(b) The defence-oriented industries are being given high priority in foreign exchange allocations. The matter is kept constantly under review and every effort is made to see that defence production does not suffer because of shortage of foreign exchange.

Rural Pilot Centres

***160. Shri S. C. Samanta:
Shri Subodh Hansda:
Shri M. L. Dwivedi:**

Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 233 on the 26th August, 1965 and state:

(a) whether the proposal of the State Bank of India to open a network of rural pilot centres in different parts of the country to provide short, medium and long-term credit for production, both agricultural and industrial, in the rural areas has since been considered by Government;

(b) if so, the broad outlines thereof; and

(c) the steps taken by the authorities concerned to implement it?

The Minister of Planning (Shri B. R. Bhagat): (a) Yes.

(b) The scheme provides for the opening of pilot centres in the rural areas in certain selected districts in each State. Each pilot centre will serve an area containing a number of villages or towns, and schemes, which are of importance to this area, including intensive cultivation or other agricultural production programmes, land improvement, minor irrigation and rural electrification projects, and

the development of small-scale industries, are expected to be financed by the centres. The procedure and forms used by the bank will also be simplified to the extent necessary.

(c) The State Bank will open the centres, in accordance with phased programme, after a final decision has been taken regarding the selection of the districts and the areas.

Bird & Company

***161. Shri Surendranath Dwivedy:
Shri Dinen Bhattacharya:
Dr. Ranen Sen:
Shri Yashpal Singh:**

Will the Minister of Finance be pleased to state:

(a) whether any further enquiry is in progress regarding certain affairs of M/s. Bird & Company, Calcutta;

(b) whether any prosecution is being launched against the Company, its associates or certain other individuals involved in this matter; and

(c) whether the Customs authorities have placed all papers including letters and documents seized while investigating into the affairs of Bird & Company before the Ministry and whether all these have been examined by them?

The Deputy Minister in the Ministry of Finance (Shri Rameshwar Sahu): (a) Certain aspects in regard to the affairs of M/s. Bird & Company, and others that came to light during investigations by the customs authorities into the violations of the customs law are being looked into.

(b) The question of prosecuting the persons concerned in the case against M/s. Bird & Company, and the associates is under examination.

(c) The different law enforcement agencies would scrutinize the seized documents and conduct appropriate enquiries. The seized documents have, therefore, not been placed before the Ministry.

Visit Abroad by Officers and Non-Officials

*163. **Shri Vishwa Nath Pandey:** Will the Minister of Finance be pleased to state:

(a) the number of Central Government officers and non-officials who went abroad on official visits during the period from 24th September, 1965 to 31st October, 1965 and the names of the countries visited by them;

(b) the purpose of their visit; and

(c) the expenditure involved including the foreign exchange component?

The Minister of Planning (Shri B. R. Bhagat): (a) to (c). The information is being collected from the various Ministries and Departments and will be laid on the Table as soon as it is available.

Assistance sought by M.P. Government

*164. **Shri Kishen Pattanayak:**
Shri Bagri:
Shri Madhu Limaye:
Shri Yashpal Singh:
Shri Bhanu Prakash Singh:

Will the Minister of Finance be pleased to state:

(a) whether the Madhya Pradesh Government have asked for special treatment in the matter of grant-in-aid for the State in view of its large backward population of Scheduled Castes and Scheduled Tribes; and

(b) if so, the action taken by Government thereon?

The Minister of Planning (Shri B. R. Bhagat): (a) No, Sir.

(b) Does not arise.

Grant-in-aid recommended by Fourth Finance Commission to M.P.

*165. **Dr. Ram Manohar Lohia:**
Shri Bagri:
Shri Madhu Limaye:
Shri Yashpal Singh:
Shri Bhanu Prakash Singh:

Will the Minister of Finance be pleased to state:

(a) whether the Fourth Finance Commission has recommended a low quantum of grant-in-aid to Madhya Pradesh;

(b) if so, whether the State Government have represented against it; and

(c) if so, the reaction of Government thereto?

The Minister of Planning (Shri B. R. Bhagat): (a) The Fourth Finance Commission has recommended a grant-in-aid of Rs. 2.70 crores for Madhya Pradesh as against Rs. 6.25 crores which it receives at present under the Third Finance Commission's award. This should not however be viewed in isolation as the grant-in-aid recommended by the Finance Commission is intended to cover the non-Plan revenue deficit of the State, after allowing for the sums accruing to it by way of share in various Central taxes and duties.

(b) No, Sir.

(c) Does not arise.

Dearness Allowance

*166. **Shri A. P. Sharma:** Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 527 on the 9th September, 1965 and state whether any decision has since been taken to give relief to persons drawing salary above Rs. 1,000 a month in view of the steep rise in prices?

The Minister of Planning (Shri B. R. Bhagat): In view of the present situation, a decision in the matter has been deferred.

Location of Public Sector Plants in Coastal Cities

*167. **Shri Vidya Charan Shukla:** Will the Minister of Planning be pleased to state:

(a) whether it is a fact that Government have decided not to locate any major public sector plant in the coastal cities and towns; and

(b) if so, the reasons therefor?

The Minister of Planning (Shri B. R. Bhagat): (a) No, Sir.

(b) Does not arise.

Foreign Exchange Expenditure on Tours Abroad

*168. **Shrimati Maimoona Sultan:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that while the release of foreign exchange for studies abroad is being restricted with

a view to preserving exchange, the expenditure on other foreign tours has not been proportionately decreased;

(b) if so, the foreign exchange expenditure involved on the two categories of foreign travels during each of the years since 1961-62 onwards;

(c) whether any relaxation in the rules governing the release of exchange for studies is being considered; and

(d) if so, in what respects?

The Minister of Planning (Shri B. R. Bhagat): (a) No, Sir. In the present difficult foreign exchange situation, care is taken to cut out foreign exchange expenditure on all avoidable travel abroad.

(b) The following table shows the amount of foreign exchange released by the Reserve Bank of India on foreign travel from 1961-62 onwards:

	1961-62	1962-63	1963-64	1964-65
	(In crores of Rs.)			
Education	4.9	4.7	4.1	4.1
Others	6.5	6.9	6.2	5.7
TOTAL	11.4	11.6	10.3	9.8

(c) No, Sir.

Shri Babhuti Mishra:

Shri P. L. Barupal:

(d) The question does not arise.

Food Poisoning Cases in Delhi

*169. **Shri Rameahwar Tantia:**
Shri Himatsingka:
Shri Maurya:
Shri Sisheshwar Prasad:
Shri Yashpal Singh:
Shri D. C. Sharma:
Shri S. M. Banerjee:
Shrimati Ranuka Barkataki:
Shri Basumatari:
Shri Rajdeo Singh:
Shri Onkar Lal Berwa:
Shri Brij Raj Singh:
Shri Gokaran Prasad:
Shri Shiv Charan Gupta:
Dr. Mahadeva Prasad:
Shri Kapur Singh:

Will the Minister of Health be pleased to state:

(a) whether it is a fact that there had been some serious food poisoning cases in Delhi in October this year;

(b) if so, whether any investigation has been made into the causes thereof; and

(c) if so, the results of the investigation and action taken thereon?

The Minister of Health (Dr. Sushila Nayar): (a) and (b). Yes, Sir.

(c) A statement is given below:

Statement

171 cases of food poisoning were reported in Delhi during October, 1965. Investigations have shown that the cause of food poisoning is due to the insanitary conditions of preparation and storage of sweets prepared from *khoya* by a sweetmeat seller (*halwai*) on Sadar Thana Road. Prosecution is being launched against this seller under the P.F.A. Act for selling unwholesome food.

Eating places are being inspected by the staff of the Health Department of the Municipal Corporation of Delhi. After the 15th October, 1965, 1,329 premises have been inspected and 551 notices were issued to the parties for carrying out necessary improvement in the preparation and storage of eatables. 20,209 kgs. of food stuffs which were found unfit for human consumption were destroyed under the Epidemic Diseases Act.

A meeting of all the *halwais* in the Municipal Corporation area was called on the 15th October, 1965, by the Corporation authorities and they were asked to take all sanitary precautions in manufacturing, storing and sale of their preparations.

Siltting of Bhakra Reservoir

*170. Shri Sidheshwar Prasad:
Shri S. N. Chaturvedi:
Shri Yashpal Singh:
Shri Daijit Singh:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that due to excessive siltting, the life of the Bhakra reservoir is in danger;

(b) if so, the steps being taken to see that its estimated life of 585 years is not reduced; and

(c) the details of the steps taken for the protection and up-keep of other major dams and irrigation systems?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) The present rate of siltation is higher than the average rate assumed in the Project Report. Also, the rate of siltation is higher in the earlier stages. Sufficient data is not available to estimate accurately the life of the Bhakra Reservoir.

(b) Suitable Soil conservation measures in the Bhakra Catchment lying within the country are being adopted for decreasing the rate of silting.

(c) Besides, Bhakra Nangal, soil conservation work has been undertaken in 13 other River Valley Projects at a cost of Rs. 1.28 crores during IInd Plan and Rs. 11 crores during the IIIrd Plan 218 sq. miles of critical area were treated in IInd Plan and 768 sq. miles of critical areas have been treated during the first four years of the IIIrd Plan.

कर्मचारियों का यात्रा भत्ता

*171. श्री हुकम चन्द कसुबाय :
श्री यशपाल सिंह :
श्री प्रकाशवीर शास्त्री
श्री कपूर सिंह :
श्री बजर्राज सिंह

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि

(क) क्या पिछले तीन वर्षों में सरकारी कर्मचारियों द्वारा लिये गये यात्रा-भत्ते के वर्ष-वार व्योजे से पता चलता है कि यात्रा भत्ते में निरन्तर वृद्धि होती जा रही है ;

(ख) यदि हा. तो इसके क्या कारण हैं; और

(ग) इस प्रवृत्ति को रोकने के लिए क्या कार्यवाही की गई है अथवा करने का विचार किया गया है ?

संजना मंत्री (श्री ब० रा० भगत) :

(क) और (ख) : पहले के दो वर्षों के

मुकाबले 1963-64 में वृद्धि हुई थी। उसके बाद यात्रा भत्ते पर खर्च लगभग स्थिर रहा है। सरकारी काम की गति बढ़ जाने के कारण अधिक दौरे जरूरी हो जाने के अलावा वृद्धि का कुछ हद तक कारण यह है कि द्वितीय वेतन आयोग की सिफारिशों के अनुसार 1962 में यात्रा और दैनिक भत्तों की दरों को उदार बनाया गया और अन्य रियायतें दी गयीं।

(ग) मंत्रालयों को सलाह दी गई है कि वर्तमान संकटकालीन स्थिति में सरकारी कर्मचारियों के दौरों को कम से कम कर दें और, जहां तक सम्भव हो सके, ह्यूटी पर रेल द्वारा यात्रा करते समय वातानुकूलित डिब्बों में तथा विदेशों में दौरों के समय प्रथम श्रेणी के हवाई टिकट लेकर यात्रा न करने दें। साथ ही मंत्रालयों से कहा गया है कि वे प्रशासनिक और आयोजना से भिन्न अन्य व्यय के लिए अगले वर्ष के बजट में की जाने वाली व्यवस्था को चासू वर्ष के बजट में की गई व्यवस्था के 90 प्रतिशत तक ही सीमित रखें। अनुमान है कि उन पर बताये गये उपायों का प्रभाव मंत्रालयों के यात्रा सम्बन्धी बजट अनुमानों पर पड़ेगा।

Private Capital for Housing Programme

*172. **Shri M. R. Krishna:** Will the Minister of Finance be pleased to state:

(a) whether the scheme to attract private capital for the house-building programmes has been implemented;

(b) the incentives offered to the private investors; and

(c) the amount invested by the private financiers?

The Minister of Planning (Shri B. R. Bhagat): (a) to (c). Government has under consideration a proposal for the establishment of a Housing Finance Corporation which would provide long-

term loans for the construction or acquisition of new houses, and would invite deposits from the public.

Appraisal of Third Plan

*173. **Shri Alvares:**
Shri Linga Reddy:

Will the Minister of Planning be pleased to state:

(a) whether any recent assessment has been made of the Third Five Year Plan; and

(b) if so, the estimates of the physical targets achieved?

The Minister of Planning (Shri B. R. Bhagat): (a) Yes, Sir.

(z) A set of statements showing the principal targets of production and development is laid on the Table of the House. [Placed in Library, See No. LT-5125/65].

Schemes Involving Expenditure above Rs. 25 Lakhs

*174. **Shri P. R. Chakraverti:**
Shri P. C. Borooah:

Will the Minister of Works and Housing be pleased to state:

(a) whether his Ministry has decided to suspend work on all schemes involving expenditure of above Rs. 25 lakhs to effect utmost economy in expenditure so as to make available all the funds for the defence efforts;

(b) whether works which have already been undertaken, will be continued for the present; and

(c) what other economy has been brought about in the different sections of the Ministry?

The Minister of Works and Housing (Shri Mehṛ Chand Khanna): (a) to (c). An all out effort is being made to effect economy in expenditure. A number of schemes have been suspended. Only those schemes are being

executed which are already in operation. An exception is, however being made in respect of the residential schemes for the officers in the lower categories.

Tax Liability of Ex-Chief Minister of Orissa

*175. Shri Surendranath Dwivedy:
Shri Hari Vishnu Kamath:

Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 1312 on the 2nd September, 1985 and state:

(a) whether the enquiry regarding the tax liability of Shri Biju Patnaik, ex-Chief Minister of Orissa, has since been completed;

(b) if so, the result of the enquiry; and

(c) the action Government have taken in the matter?

The Deputy Minister in the Ministry of Finance (Shri Rameshwar Sahu):

(a) Enquiries are still in progress.

(b) and (c). Do not arise.

PL 480

*176. Dr. L. M. Singhvi: Will the Minister of Finance be pleased to state:

(a) whether Government have considered all the implications of the amendment in PL 480 raising our foreign exchange obligations on account of freight charges;

(b) whether it has been found that the foreign exchange obligations on account of freight charges are disproportionately high; and

(c) if so, the steps proposed to be taken in this regard?

The Minister of Planning (Shri B. R. Bhagat): (a) Yes, Sir.

(b) and (c). The additional foreign exchange liability on account of the amendment is comparatively small as against the value of the commodities,

which would still continue to be paid in rupees.

Housing and Building Programme

*177. Shri Hari Vishnu Kamath: Will the Minister of Works and Housing be pleased to state:

(a) whether it is a fact that the housing and building programme for the current year has been or is being drastically cut;

(b) if so, the details of the proposed cut and/or suspension thereof; and

(c) the reasons therefor?

The Minister of Works and Housing (Shri Mehr Chand Khanna): (a) to (c). So far as Housing Schemes are concerned, no specific cut has been imposed but some reduction in expenditure where commitments have not yet been made is inevitable in order to meet urgent defence requirements in the present emergency. As regards the Works programme, it has been decided to suspend a number of major projects costing more than Rs. 25 lakhs for the construction of office and residential buildings in the general pool. The works already in progress and projects for construction of lower types of accommodation will, however, be continued.

Aid India Consortium

*178. Shri Yashpal Singh:
Shri P. E. Chakravarti:
Shri P. C. Borooah:

Will the Minister of Finance be pleased to state:

(a) whether any review has been made of the promises made by foreign countries to 'Aid India Consortium' in the light of the recent conflict with Pakistan; and

(b) if so, the details thereof?

The Minister of Planning (Shri B. R. Bhagat): (a) and (b). From time to time reviews are made of the promises made by the Members of the Aid India Consortium. A statement

indicating the latest picture in respect of pledges made by the members of the Aid India Consortium for the Third Plan period is laid on the Table of the House. [Placed in Library, See No. LT-5129/65].

Economy Committee Appointed in 1962

*179. **Shri Hari Vishnu Kamath:** Will the Minister of Finance be pleased to state:

(a) whether an Economy Committee was appointed in the wake of the Chinese invasion in 1962;

(b) if so, its composition and terms of reference;

(c) whether since its inception, it has been more or less still-born or at best moribund;

(d) if so, the reasons therefor;

(e) whether it has recently been revived;

(f) whether it has been asked to submit a report; and

(g) if so, whether any deadline has been fixed therefor?

The Minister of Planning (Shri B. R. Bhagat): (a) and (b). Yes, Sir. A Committee consisting of Home Secretary, Secretary Finance (Expenditure) and Additional Secretary, Planning Commission, was set up in December, 1962, for making a summary study of the staffing position and other matters connected with expenditure in different Ministries and make recommendations for economy.

(c) and (d). No, Sir. The Committee completed its review of the staff strength of the majority of the Ministries/Departments. Its recommendations were accepted by Government and necessary orders issued in June, 1963.

(e) to (g). There is no proposal now for the revival of that Committee. However, another Committee headed by the Cabinet Secretary has recently been set up to review the activities of different Ministries with a view to locating activities which can be either dispensed with or curtailed in the present situation. The Committee is expected to complete its review early.

Strength of Government Officers

294. **Shri Madhu Limaye:**
Shri Bagri:

Will the Minister of Finance be pleased to state:

(a) the total number of Secretaries, Additional Secretaries, Joint Secretaries, Deputy Secretaries and Under Secretaries of the Government of India as on the 15th August, 1947;

(b) their present number; and

(c) the total annual expenditure on their pay and allowances?

The Minister of Finance (Shri T. T. Krishnamachari): (a) and (b). Information as on 15th August, 1947, is not readily available. However, the position as on 1st November, 1947, and on 1st October, 1965, is given below:—

	No. as on 1-11-47	No. as on 1-10-65
Secretaries/Special Secretaries .	18	48
Additional Secretaries	10	20
Joint Secretaries	34	115
Deputy Secretaries	70	235
Under Secretaries	167	429

The above figures include ex-officio posts, but not equivalent posts.

(c) Rs. 1.74 crores per annum approximately, on the basis of the strengths as on 1st October, 1965, indicated above.

Indianisation in Foreign Exchange Banks

**395. Shri Madhu Limaye:
Shri Bagri:**

Will the Minister of Finance be pleased to state:

(a) the progress made in the last six months in the Indianisation of the top personnel of the Foreign Exchange Banks in India; and

(b) the steps Government propose to take to speed up this process?

The Minister of Finance (Shri T. T. Krishnamachari): (a) Returns from the banks concerned are obtained with reference to the position as at the end of each calendar year. There was an increase in the number of Indian officers during the calendar year 1964 from 307 to 414 and of non-Indian officers during the same year from 229 to 237.

(b) The returns submitted to the Reserve Bank are scrutinised by that bank and whenever necessary the banks concerned are advised to take suitable action to Indianise the staff.

Evaluation of Irrigation Projects

396. Shri Ram Harkh Yadav: Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that Government propose to take Evaluation of some of the major Power and Irrigation Projects to assess their utilisation;

(b) if so, the major projects affected by the scheme; and

(c) the reasons thereof?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) to (e).

The programme Evaluation Organisation of the Planning Commission has undertaken a study of the irrigation problems in the following 9 major irrigation projects:

- (1) Bhakra Nangal.
- (2) Matatila.
- (3) Mayurakshi.
- (4) Gangapur.
- (5) Kakrapar.
- (6) Tungabhadra.
- (7) Lower Bhawani.
- (8) Malanpuzha.
- (9) Hirakud.

The main objectives of this study are:

- (a) to analyse the problems and difficulties in the way of full utilisation of the irrigation potential created under these projects; and
- (b) to assess the direct economic benefits (like extension of irrigation, and changes in cropping pattern, etc.) derived from these projects and to indicate the nature of the indirect socio-economic benefits flowing or likely to flow from these projects.

The report is expected to be ready shortly.

LIC Investment in Andhra Pradesh

397. Shri Kodla Venkalah: Will the Minister of Finance be pleased to state:

(a) the amount of investment in Andhra Pradesh by the Life Insurance Corporation of India during 1963-64, 1964-65 and 1965-66 so far either industrially or in other sectors;

(b) whether any schemes have been submitted by the Government of Andhra Pradesh to the Corporation for further investment in the State;

(c) if so, the estimated cost of those schemes; and

(d) the action taken by the Corporation in the matter?

The Minister of Finance (Shri T. T. Krishnamachari): (a).

Particulars of Investments	1963-64	1964-65	1-4-65 to 30-9-65
(Rupees in Lakhs)			
1. State Government Securities	90.24	131.49	327.70
2. Debentures of Central Co-operative Land Mortgage Bank	34.50	157.22	59.03
3. Bonds of State Electricity Board.	203.95	190.44	16.34
4. Bonds of State Financial Corporation	48.05
5. Municipal Securities	(—) 0.19	(—) 0.20	..
6. Shares & Debentures of companies	8.51	67.54	12.64
7. Loans to Government for Housing Schemes	65.69	137.71	..
8. Loans to Municipal Committees	50.00
9. Loans to Industrial Estates	7.50
TOTAL	452.70	684.20	471.25

(b) No, Sir.

(c) and (d). Do not arise.

N.B.—In respect of the years 1963-64 and 1964-65, the figures of investments are net, that is, investments made in the respective years, less sales and redemption proceeds realised. The figures of investment given for the period 1st April, 1965 to 30th September, 1965, are gross investments, that is, investments from which sales and redemption proceeds are not deducted. It is not practicable at short notice to obtain figures of investments in the middle of a year after deducting therefrom sales and redemption proceeds, as Statewise and categorywise figures of such sales and redemption proceeds are prepared only at the end of the year.

Fever in Cannanore District

398. Shri A. K. Gopalan: Will the Minister of Health be pleased to state:

(a) whether it is a fact that fever in an epidemic form is spreading in Mayyil, Cannanore District, Kerala;

(b) if so, the number of persons died; and

(c) the remedial measures taken by Government?

The Minister of Health (Dr. Sushila Nayar): (a) Government has received no such report.

(b) and (c). Do not arise.

Industrial Development in Kerala

399. Shri A. K. Gopalan: Will the Minister of Planning be pleased to state:

(a) whether Prof. M. S. Thacker, Member, Planning Commission proposed the expansion of the pre-stressed pipe factory at Chavara (Kerala) after his visit there;

(b) if so, what were his proposals for expansion and Government's reaction thereto;

(c) whether he also drew government's attention on the possibility of industrial development in Kerala; and

(d) if so, what were his specific recommendations?

The Minister of Planning (Shri B. R. Bhagat): (a) to (d). Prof. Thacker with whom the Government of Kerala discussed the expansion of pre-stressed pipe factory at Chavara generally endorsed the suggestion and suggested that a detailed scheme be worked out. This scheme has now been received from the Kerala Government and is at present under examination. The Kerala Government also generally discussed the possibility of Industrial development in Kerala but Prof. Thacker did not make any specific recommendation.

Cancer

400. Shri Ram Harkh Yadav: Will the Minister of Health be pleased to state:

(a) whether it is a fact that an Indian doctor engaged in research in Bacterial infections in the Bland-Sutton Institute of Pathology has discovered a special and effective cure of cancer;

(b) if so, the details of the discovery; and

(c) Government's reaction thereon?

The Minister of Health (Dr. Sushila Nayar): (a) to (c). From the reports that have appeared in the Press it is seen that a new method of killing bacteria has been evolved and it is still in an experimental stage on animals. It is too early yet to say anything about the effectiveness of the method in finding a cure for cancer. There is a possibility that what applies to bacteria may apply to tissue cells as well.

Emergency Medical Aid Service

401. Shri Ram Harkh Yadav: Will the Minister of Health be pleased to state:

(a) whether Government have organised an Emergency Medical Aid Service under the auspicious of the Indian Academy of Medical Sciences; and

(b) if so, the objects and functions of the Organisation?

The Minister of Health (Dr. Sushila Nayar): (a) No.

(b) Does not arise.

Rural Manpower

402. Shri Shree Narayan Das: Will the Minister of Planning be pleased to refer to the reply given to Unstarred Question No. 321 on the 19th August, 1965 and state:

(a) whether the proposals for the utilisation of rural manpower during the Fourth Five Year Plan have since been finalised;

(b) if so, the broad features thereof;

(c) whether the financial implications have been studied; and

(d) if so, with what result?

The Minister of Planning (Shri B. R. Bhagat): (a) No, Sir.

(b) to (d). Does not arise.

Contaminated Water in Delhi

**403. Shri Yashpal Singh:
Shri Bhanu Prakash Singh:
Shri D. C. Sharma:**

Will the Minister of Health be pleased to state:

(a) whether it is a fact that a worm was found in tap water by an L.I.C. Officer in Connaught Place in the month of September, 1965;

(b) whether any complaint was lodged with the Municipal Health authorities; and

(c) if so, the action taken in the matter?

The Minister of Health (Dr. Sushila Nayar): (a) A worm is alleged to have been found in tap water by an L.I.C. Officer.

(b) Yes.

(c) An enquiry was made in the matter. It appears that the worm was

either present in the outer part of the tap or in the container in which the water was collected by the complainant.

British Medical Act

**404. Shri Madhu Limaye:
Shri Bagri:**

Will the Minister of Health be pleased to state:

(a) whether India is among the countries to which Part III of the British Medical Act of 1956 applies;

(b) if so, whether all the persons registered on the rolls of the Indian Medical Register are entitled to the facilities under Part III of the British Medical Act; and

(c) if not, the reasons therefor?

The Minister of Health (Dr. Sushila Nayar): (a) Yes.

(b) and (c). Only such of the persons registered on the rolls of the Indian Medical Register are entitled to the facilities under Part III of the British Medical Act as satisfy the requirements laid down in sections 18 and 20 of that Act.

Medical Council of India

**405. Shri Madhu Limaye:
Shri Bagri:**

Will the Minister of Health be pleased to state:

(a) whether the reports submitted by Inspectors and Visitors to the Medical Council of India are treated as confidential under the Indian Medical Council Act, 1956 and the regulations framed thereunder;

(b) whether these reports are being supplied to the British General Medical Council; and

(c) if so, since when and under what circumstances?

The Minister of Health (Dr. Sushila Nayar): (a) Yes.

(b) No.

(c) Does not arise.

मैसूर की बन तथा खनिज सम्पत्ति

406. श्री बागड़ी :

श्री मधु लिमये :

श्री यशपाल सिंह :

क्या योजना मंत्री मैसूर की बन तथा खनिज सम्पत्ति से संबंधित 23 सितम्बर, 1965 के प्रतारंकित प्रश्न संख्या 2678 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या संयुक्त राष्ट्र संघ के विशेषज्ञों के दल ने सरकार को इस बीच भ्रपना प्रतिवेदन पेश कर दिया है; और

(ख) यदि हां, तो उसमें क्या मुख्य सिफारिशों की गई हैं ?

योजना मंत्री (श्री ब० रा० भगत) :

(क) भ्रपना नहीं।

(ख) प्रश्न नहीं उठता।

दिल्ली में छोटियों के लिए मकान

407. श्री बागड़ी :

श्री मधु लिमये :

श्री यशपाल सिंह :

श्री हुकम चन्द कछवाय :

क्या निर्माण और आवास मंत्री दिल्ली में छोटियों के लिए मकानों की स्थिति के बारे में 23 सितम्बर, 1965 के प्रतारंकित प्रश्न संख्या 2720 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या समिति ने इस बीच भ्रपना प्रतिवेदन सरकार को पेश कर दिया है ;

(ख) यदि हां, तो उसमें क्या मुख्य सिफारिशों की गई हैं; और

(ग) सरकार ने उन पर क्या निर्णय किया है ?

निर्माण तथा आवास मंत्री (श्री मेहरबन्द खन्ना) : (क) से (ग). समिति ने प्रतिवेदन तैयार कर लिया है और आशा है कि कुछ दिनों में ही सरकार को पेश कर देगी।

Flood Control in Assam

408. Shri P. R. Chakraverti:
Shri P. C. Borooah:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that the Government of Assam has requested the Government of India and the State Governments to lend the services of experienced Engineers to implement long-term Flood Control measures under the State's Fourth Plan;

(b) whether Government have appointed the Chief Engineer of the Central Water and Power Commission as Regional Officer at Shillong;

(c) whether the Engineers to be provided by other State Governments are to be constituted into an organisation to assist the Chief Engineer in the implementation of Flood Control measures; and

(d) the long-term measures contemplated for the purpose?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes.

(b) Yes.

(c) Engineers from other States will work as deputationists.

(d) The long-term measures contemplated include construction of new embankments, river training and town protection works, storage reservoirs, detention reservoirs and provision of adequate drainage arrangements.

Nutrition Programme

409. Shri A. N. Vidyalankar: Will the Minister of Health be pleased to state:

(a) whether Government have made any evaluation of the Nutrition

programme and made any survey of the various dietary patterns of the people;

(b) if so, whether Government propose to lay the report of the survey on the Table; and

(c) the measures being taken to inform the common man of his dietary needs and about the nature of suitable feeds for maintenance of health?

The Minister of Health (Dr. Sushila Nayar): (a) Dietary surveys for assessing the pattern of diet of the people in different parts of the country have been carried out by the State Governments in collaboration with the Indian Council of Medical Research and the results have been published in the Diet Atlas of India by the I.C.M.R. In addition, the composition of a balanced diet adequate for the maintenance of good health and details of different classes of foods and the quantities in which they are needed to make up a balanced diet have been recommended by the Council in their publication entitled "The Nutritive Value of Indian Foods and the Planning of Satisfactory Diets"—Special Report Series No. 42. The evaluation of the Applied Nutrition Programme which is being implemented by the Ministry of Community Development and Co-operation has been done by the Programme Evaluation Organisation of the Planning Commission and also the State Governments concerned.

(b) A copy each of the "Diet Atlas of India" and "The Nutritive Value of Indian Foods and the Planning of Satisfactory Diets" has been placed in the Library of the Lok Sabha.

(c) The diets recommended as suitable for maintenance of good health are being publicised through exhibitions, pamphlets, posters and demonstrations etc. mainly by the Health education Bureaus at the Centre and in the States and Nutrition Cells in the Directorates of Health.

Backward Areas

410. Shri Umanath: Will the Minister of Planning be pleased to state:

(a) the action taken to see that the State Governments constitute Special Areas Cell in each State to identify and evolve developmental pattern in the backward areas in each State;

(b) the States which have constituted such Cells and the States which have not constituted and with reasons therefor; and

(c) the progress of work by such Cells in the States where they have been constituted?

The Minister of Planning (Shri B. R. Bhagat): (a) In January 1965, State Governments were requested to identify backward areas on the basis of a few indicators of development. No suggestion was made to set up a Special Area Cell in each State. Consideration of State Governments' replies is in progress.

(b) and (c). Do not arise.

World Bank Assistance to India

411. Shri Vishwa Nath Pandey:
Shri D. N. Tiwary:

Will the Minister of Finance be pleased to refer to the reply given to Starred Question No. 368 on the 2nd September, 1965, and state:

(a) whether the World Bank Team has submitted its report to India about World Bank's assistance to India; and

(b) if so, the main features thereof?

The Minister of Finance (Shri T. T. Krishnamachari): (a) and (b). The World Bank team has submitted a draft report to the President of the Bank; the draft has, however, not been finalised.

Manibhadra Dam Project

412. Shri Gokulananda Mohanty: Will the Minister of Irrigation and Power be pleased to state:

(a) whether the Manibhadra Dam Project, a component of the Tikkar-

para Dam Project, has been considered by Government independently of the main project; and

(b) if so, the final decision taken in the matter?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) A detailed project report for the Manibhadra Project is awaited from the Government of Orissa.

(b) Does not arise.

Major Irrigation Projects

413. Shri Linga Reddy: Will the Minister of Irrigation and Power be pleased to state:

(a) the number of major irrigation projects which have either been fully completed or partially completed with the Central assistance so far;

(b) the total acreage of land sought to be cultivated under these projects; and

(c) the reasons for not bringing the entire cultivable land under irrigation?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Out of 74 major irrigation projects taken up during the First, Second and Third Five Year Plans, nine projects are getting 100 per cent earmarked assistance from the Central Government. Three schemes are practically complete and 13 more are expected to be completed by the end of the Third Plan.

(b) The area to be irrigated by the 3 completed projects (Bhakra, D.V.C. and Hirakud) will be 52,32,000 acres. An area of 97,67,000 acres will be irrigated by the remaining 6 projects getting earmarked assistance (Chambal, Kosi, Gandak, Nagarjunasagar, Beas and Rajasthan Canal) when completed. The total area to be irrigated by all the 74 projects, when completed, will be 35.7 million acres.

(c) The area to be irrigated under a project is decided keeping in view the principle of benefitting the largest

number of people in as large an area as possible subject to topography and limitations of water availability.

Rehabilitation Finance Administration

414. Shri B. K. Das: Will the Minister of Finance be pleased to state:

(a) the amount of loan advanced by the Rehabilitation Finance Administration which still remains outstanding;

(b) the number of cases pending in the courts against the loanees and the total amount involved therein; and

(c) the amount which is regarded unsecured due to the whereabouts of the loanees or their guarantors remaining untraced?

The Minister of Finance (Shri T. T. Krishnamachari): (a) A sum of Rs. 4.46 crores which is inclusive of interest calculated upto 31st December, 1964 still remains outstanding.

(b) No case has been referred to Law Courts but 4376 cases involving about Rs. 4 crores have been referred to Collectors for recovery as arrears of land revenue.

(c) A sum of about Rs. 16 lakhs is regarded unsecured due to the whereabouts of the loanees or their guarantors remaining untraced.

Increased Bank Rate and Old Deposits and Loans

415. Shri D. N. Tiwary: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the higher rates of interest which came into force recently are not applicable to the old deposits and loans;

(b) whether it is also a fact that the Central Bank of India has not increased the rate of interest on the old deposits but is charging increased lending rates on old loans; and

(c) if so, the reasons therefor?

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The Minister of Finance (Shri T. T. Krishnamachari): (a) In respect of deposits which are withdrawable on demand, or at very short notice, banks are prohibited, according to the Reserve Bank's directive, from increasing the rates of interest. In the case of term deposits or term loans, the rates of interest specified in the old contracts continue to be in force, but according to the provisions of an inter-bank agreement, it is open to a depositor to withdraw a term deposit, in advance of the normal date of maturity, on foregoing a prescribed amount of interest and to get the deposit renewed thereafter at the current rate of interest.

(b) and (c). The Central Bank has not increased the contractual rates of interest either in regard to term deposits or term loans, but is willing to allow the premature repayment and subsequent renewal of term deposits, in accordance with the provisions of the relevant inter-bank agreement.

Barna and Halali Irrigation Projects

416. Shri Vidya Charan Shukla:
Shri Hukam Chand
Kachhavaia:
Dr. C. B. Singh:
Shri Parashar:
Shri Chandak:
Shri Wadiwa:
Shri J. P. Jyotishi:
Shrimati Minimata:
Shri Daji:
Shri E. S. Tiwary:
Shri Bade:
Shri A. S. Saigal:
Shri Shiva Dutt Upadhyaya:
Shri U. M. Trivedi:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether there is any proposal under consideration to proceed with the work on Barna and Halali Irrigation projects in Madhya Pradesh;

(b) if so, whether any funds have been made available to the State Government for the purpose; and

(c) the progress made so far?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Barna Project has already been approved by the Planning Commission. Halali Project Report is still awaited from the State Government.

(b) No earmarked assistance is being given for Barna Project.

(c) Preliminary works such as approach roads, construction of buildings, clearance of site etc. are in progress in respect of Barna Project. A sum of Rs. 75.3 lakhs has been spent up to March, 1965.

Water Supply to Quarters in Ramakrishnapuram, New Delhi.

417. **Shri P. C. Borooah:**
Shri P. R. Chakraverti:

Will the Minister of Works and Housing be pleased to state:

(a) whether arrangements have since been made for the supply of water to the newly constructed Government quarters in Ramakrishnapuram, New Delhi, which had been lying vacant for want of such amenities for years together;

(b) if so, when the supply arrangements were made; and

(c) whether all the quarters have since been occupied by their allottees and how many still remain to be allotted/occupied?

The Minister of Works and Housing (Shri Mehr Chand Khanna): (a) to (c). Water supply, on a restricted basis, has been made available by the Corporation. Another two weeks or so will be required for testing and flushing the water supply lines. It will be only after these tests that the quarters can be occupied by the allottees.

क्षय-रोग-टिकट विक्रय आन्दोलन

418. **श्री झोंकार लाल बेरवा :**
क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने

पहले की तरह इस वर्ष भी क्षय-रोग टिकट विक्रय आन्दोलन चलाया है ;

(ख) यदि हां, तो पिछले वर्ष टिकटों की बिक्री से कितनी प्राय हुई; और

(ग) इस वर्ष के लिए क्या लक्ष्य निर्धारित किया गया है ?

स्वास्थ्य मंत्री (डा० सुशीला नायर) :

(क) गत वर्षों की भांति भारतीय टी० बी० एसोसियेशन ने इस वर्ष भी टी० बी० सील बिक्री अभियान चलाया जो 2 अक्टूबर को शुरू हुआ था और 26 जनवरी को समाप्त होगा।

(ख) गत वर्ष इस बिक्री से लगभग 5 लाख रुपये की प्राय होने का अनुमान है।

(ग) संघर्ष का कोई लक्ष्य निर्धारित नहीं किया गया है।

दिल्ली में पीने के पानी की सप्लाई :

419. **श्री झोंकार लाल बेरवा :**
क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि वर्तमान प्रायातकाल को ध्यान में रख कर दिल्ली में पीने के पानी की सप्लाई निरन्तर बनाये रखने के लिए कोई विशेष प्रबन्ध किया गया है ;

(ख) यदि हां, तो उसकी मुख्य बातें क्या हैं ;

(ग) इस पर कितना व्यय हुआ है; और

(घ) यह विशेष प्रबन्ध कितने समय तक बनाये रखने का अनुबन्ध किया गया है ?

स्वास्थ्य मंत्री (डा० सुशीला नायर) :

(क) जी हां।

(ख) राजधानी में जस पूति व्यवस्था को सुदृढ़ करने के लिए सभी सम्बन्धित वस्तुओं सहित एक प्लान्ट लगाने का प्रबन्ध कर दिया गया है। चुने हुए म्यानों पर बहुत से नल कूप तथा हैंड पम्प लगाये जा चुके हैं तथा लगाये जा रहे हैं।

(ग) लगभग 31 लाख रुपये।

(घ) ये सभी इन्स्टालेशन स्थायी हैं।

दो पैसे का नया सिक्का

420. श्री श्रीकांत दास शेरदा : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(a) क्या यह सच है कि सरकार ने दो पैसे का एक नया सिक्का जारी किया है ;

(ख) यदि हां, तो कुल कितनी राशि के सिक्के जारी किये गये हैं; और

(ग) क्या तीन पैसे का भी नया सिक्का जारी करने का कोई प्रस्ताव है ?

वित्त मंत्री (श्री त्रि० त० शुद्धमाचारी) :

(क) जी, हां।

(ख) कुल 3,04,781 रुपये के सिक्के जारी किये गये, जिन में से 2,28,031 रुपये के सिक्के भारतीय रिजर्व बैंक के काउण्टरों से जारी किये गये और बाकी छोटे सिक्कों के डिपुओं में धेज दिये गये।

(ग) जी, नहीं।

Allotment of Quarters

421. Dr. Sarojini Mahishi: Will the Minister of Works and Housing be pleased to state:

(a) whether it is a fact that the Central Government employees have been greatly affected by the abolition of 'Next below' rule for the pur-

pose of allotment of accommodation in the General Pool; and

(b) if so, the ameliorative steps, if any, taken in this regard?

The Minister of Works and Housing (Shri Mehr Chand Khanna): (a) and (b). As far as it is known the position is quite the contrary. The abolition of next below rule in categories I, II, III and IV has been greatly appreciated. There is now a demand that this should equally be extended to the higher categories.

Restrictions in Getting 'P' Form

422. Shri Heda: Will the Minister of Finance be pleased to state:

(a) what are the restrictions in getting 'P' Form in the case of the following categories:

- (1) Students who get freeships and assistantships;
- (2) Cultural exchanges jointly sponsored by voluntary organisations in India and their counterpart in foreign countries;
- (3) One whose ticket is paid for in foreign currency and whose expenses abroad are taken care of by the sponsor; and
- (4) Airlines staff who get free passage from the Companies;

(b) the reasons for these restrictions; and

(c) the remedial measures taken to cut off delays in the sanction of 'P' Forms?

The Minister of Finance (Shri T. T. Krishnamachari): (a) The following regulations govern the grant of 'P' Forms to persons falling in the various categories;

- (1) In the case of students securing scholarships or stipends for full

maintenance and fees from foreign Governments or Universities or educational institutions of repute or recognised International institutions may be granted 'P' Forms irrespective of the course of study and without insisting on minimum educational qualifications prescribed for students for taking up courses abroad.

- (2) A limited number of persons may be allowed 'P' Form clearance under the various approved cultural exchange programmes.

- (3) 'P' Form clearance may be given on the basis of acceptable hospitality from abroad. Broadly such hospitality should be from parents|sons|daughters or from organisations and institutions of repute or from foreign Governments. The mere fact that pre-paid ticket and full hospitality from any one is available is not sufficient from exchange control point of view for giving passage clearance.

- (4) Staff of airlines who under their terms of service are entitled to free passage are given passage clearance for stay abroad for a period of not exceeding 10 days once a year provided satisfactory evidence of arrangement for hospitality is produced.

(b) 'P' Form control has been introduced with a view to plugging the leakage in foreign exchange on account of compensatory transactions and also of saving foreign exchange on account of avoidable travel.

(c) There is proper delegation of powers to all the regional offices of the Reserve Bank of India and approval is given without delay if complete documents are produced.

Public Co-operation in Education

423. Shri Brij Raj Singh:
Shri Onkar Lal Berwa:
Shri Gokaran Prasad:

Will the Minister of Planning be pleased to state:

- (a) whether Government have set up a working group for parent-teacher participation for promoting public co-operation in the field of education;
- (b) the composition of this working group; and
- (c) the details thereof?

The Minister of Planning (Shri B. R. Bhagat): (a) Yes, Sir.

(b) and (c). A copy of the Government of India resolution No. 1/23/64-Edn. dated the 18th September, 1965 which gives details about the composition of the Working Group and its terms of reference is placed on the Table of the House.

Import of Luxury Goods

424. Shri Onkar Lal Berwa:
Shri Raj Singh:
Shri Gokaran Prasad:

Will the Minister of Finance be pleased to state:

- (a) the total number of firms found guilty of illegal import of luxury goods since 1st January, 1964;
- (b) the punishment imposed on them; and
- (c) the value of luxury goods imported illegally?

The Minister of Finance (Shri T. T. Krishnamachari): (a) The total number of firms involved in the illegal importation of commercial consignments of luxury goods as cargo or by parcel post since 1st January, 1964 is 706.

(b) The firms have been proceeded against departmentally. The nature of action taken includes absolute confiscation of goods, confiscation providing redemption on payment of fines and imposition of personal penalties. Personal penalties and fines imposed so far amount to 1,97,835,000.

(c) About Rupees Seven Lakhs.

Commonwealth Finance Ministers' Conference held in Jamaica

425. **Shri M. R. Krishna:** Will the Minister of Finance be pleased to state:

(a) whether Government refused to participate in the Commonwealth Finance Ministers' Conference held some time in September, 1965 in Jamaica;

(b) if so, whether Government had given an advance indication to the Conference; and

(c) the reasons therefor?

The Minister of Finance (Shri T. T. Krishnamachari): (a) to (c). There was no "refusal" as such to attend the Commonwealth Finance Ministers' Conference held in Jamaica on 22nd and 23rd September 1965. It had been the intention of the Finance Minister to attend the meeting; but with the developments on our borders since the beginning of September 1965 it became impossible for the Finance Minister to leave the country. The acting Prime Minister of Jamaica was informed of India's inability to attend the Conference as soon as a decision was taken i.e. on 15th September 1965.

Doctors for Civil Defence

427. **Shri D. C. Sharma:** Will the Minister of Health be pleased to state:

(a) the number of doctors from institutions, hospitals and dispensaries in Delhi who offered themselves for defence work; and

(b) how far their services have been utilised?

The Minister of Health (Dr. Sushila Nayar): (a) A total of 525 doctors from institutions, hospitals and dispensaries in Delhi offered themselves for defence work including civil defence.

(b) Out of these, 23 doctors were recruited to the Armed Forces, 454 doctors were used for manning First-Aid posts and other Civil Defence Services in Delhi and 17 doctors were utilised for service outside Delhi in Punjab and Jammu and Kashmir.

Shanti-dwellers in Lajpat Nagar, New Delhi

428. **Shri Mohsin:** Will the Minister of Works and Housing be pleased to state:

(a) whether it is a fact that shanti-dwellers in Lajpat Nagar, New Delhi were evicted and their huts removed by the Municipal authorities recently rendering more than 1,000 people homeless; and

(b) if so, whether alternative accommodation has been provided to them?

The Minister of Works and Housing (Shri Mehr Chand Khanna): (a) No huts were demolished in Lajpat Nagar proper. However, 487 huts were demolished in Andrews Ganj near Lajpat Nagar on the 13th and 14th October, 1965.

(b) Alternative accommodation has been provided to the persons who were found to be eligible under the Jhuggis and Jhopris Removal Scheme. In this case the number of intelligibles was fairly large.

Replacement of Old Electric Mains

429. **Shri Shiv Charan Gupta:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that Government have recommended to the Delhi Electric Supply Undertaking to replace old mains and sub-mains in the city;

(b) if so, the progress made so far in the matter; and

(c) the future programme in this regard?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes.

(b) Old 6.6 KV mains have been replaced by new 11 KV mains approximately to the extent of 50 per cent. The sub-station capacity has been augmented by 100 per cent during the last 3 years. Low voltage A.C. Mains have also been replaced and/or augmented. D.C. Load has been reduced substantially and new A.C. mains have been laid to change over from D.C. to A.C. in all the D.C. area of the city.

(c) Steps are being taken to replace the remaining old mains and sub-mains and this work is likely to take another 3 years' time.

Filaria in Kerala

430. **Shri Mohammed Koya:** Will the Minister of Health be pleased to state the special steps taken for the prevention and cure of filaria in the filaria infected Centres of Shertalai, Alleppy, Badagar, Baliapatam and Ponani in Kerala State?

The Minister of Health (Dr. Sushila Nayar): There are two types of filaria infection prevalent in Kerala State, namely, *W. Bancrofti* and *B. malayi*. The *B. malayi* infection is prevalent in Shertalai and Alleppy whereas *W. Bancrofti* is prevalent in Badagar, Baliapatam and Ponani. Apart from these areas, various other districts of Kerala State are also affected.

In so far as the control of *W. bancrofti* infection is concerned, National Filaria Control Programme has been undertaken since 1955 in various States including Kerala State where 20 filaria control units are functioning in the different filaric areas of the State. Badagara and Ponani have one control unit each. Baliapatnam has been covered by the neighbouring unit at Cannanore. The State Government have provided a sum of Rs. 9.35 lakhs for the continuance of the Programme during 1965-66. For the control of *B. malayi* filariasis, a *B. malayi* pilot project has been undertaken. The staff for the project are being recruited and the control operations will be started soon. Under the Programme, large tracts of Shertalai and Alleppy talukas will be taken up for control.

No specific drugs are available for the control of filaria. However, systematic treatment as well as various clinical trials are being undertaken in the clinics attached to the Filariasis Training Centre at Calicut and also in the Medical College of Trivandrum and Calicut. Apart from the clinical trials in these selected places, supplies of Diethylcarbamazine tablets have been given to the Medical Department of Kerala State Health Organisation for treatment of filariasis in various Government hospitals.

Ayurvedic Cure for Lunacy

431. **Shri Mohammed Koya:** Will the Minister of Health be pleased to state:

(a) whether Government are aware that there is an effective cure for lunacy in the Ayurvedic system; and

(b) if so, whether this has been tried in any of our Mental Hospitals?

The Minister of Health (Dr. Sushila Nayar): (a) Ayurvedic methods of treatment for certain kinds of mental disorders are known to have benefited a number of patients.

(b) Yes; in the All India Institute of Mental Health, Bangalore.

Industrial Potential of Rural Areas

432. Shri Ram Harkh Yadav:
Shri Vishwa Nath Pandey:

Will the Minister of Planning be pleased to state:

(a) whether Government have received the survey report conducted by the Planning Commission about the Industrial Potential of the Rural areas in the country;

(b) if so, the basis of the survey, the number and details of the specially selected areas for the purpose; and

(c) whether the survey covers the case of Intensive Development sponsored some years back?

The Minister of Planning (Shri B. R. Bhagat): (a) to (c). During 1962-63, the Planning Commission sponsored a programme of Intensive Development of Small Industries in Rural areas and for this purpose, 45 project areas were selected. Subsequently viz. in 1965-66, four more projects have been added. The formulation and implementation of the programme was the responsibility of the State Governments. It was suggested to the State Governments that before drawing up plans of development, preliminary surveys of the areas should be undertaken with a view to assessing the availability of resources—physical, material as well as human—possibilities and potentials of development, etc. Survey reports of all the Project areas, excepting two of the four new projects taken up in 1965-66, have been completed, and the reports submitted. A statement showing the number and details of the project areas is laid on the Table of the House. [Placed in Library. See No. LT-432/65]

Farakka Barrage

433. Shri C. K. Bhattacharyya:
Will the Minister of Irrigation and

Power be pleased to state:

(a) whether it is a fact that a proposal is under consideration to reduce the allotment made for the Farakka Barrage; and

(b) if so, the details thereof?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) There is no such proposal.

(b) Does not arise.

Insuring of Non-Earning Ladies

434. Shri Jashvant Mehta: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that the Life Insurance Corporation has decided not to insure non-earning ladies even though they are eligible in all respects, otherwise; and

(b) if so, the reasons for different approach and different standards for male and female?

The Minister of Finance (Shri T. T. Krishnamachari): (a) No, Sir.

(b) Does not arise.

अंबेडकर गाँव का पकड़ा जाना

435. श्री विश्वनाथ पाण्डेय :
क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्पादन शुल्क विभाग ने अक्टूबर, 1965 के महीने में भटनी रेलवे स्टेशन (पूर्वोत्तर रेलवे) पर लगभग 50,000 रुपये के मूल्य के अंबेडकर गाँव की चार पेटियाँ पकड़ी हैं; जो कुमार बाग से कछेवा रोड तथा बम्बई की ओर जा रही थी; और

(ख) यदि हाँ, तो इस मामले में सरकार ने क्या कार्यवाही की है ?

वित्त मंत्री (श्री वि० त० कृष्णामाचारी):

(क) जी, हाँ। राज्य प्राधिकारी विभाग द्वारा 3 अक्टूबर, 1965 को उत्तर-पूर्व रेलवे के भटनी स्टेशन पर बोरों में सिमी हुई

सकड़ी की चार पेटियां पकड़ी गईं जिनमें 271 किलोशाम (शुद्ध बत्तन) गांजा भरा हुआ था। ये पेटियां कुमार बाग से भेजी गई थीं और कछेवा रोड तथा बम्बई के लिए चढ़ाई गई थीं।

(ख) राज्य भ्रातृकारी विभाग मामले की जांच-पड़ताल कर रहा है। अभी तक कोई गिरफ्तारी नहीं की गई है।

सरकारी क्षेत्र के कार्यों के लिये मूल्यांकन समिति

436. श्री विद्वनाथ पाण्डेय : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सरकार ने सरकारी क्षेत्र के कार्यों के लिए एक मूल्यांकन समिति बनाई है ;

(ख) यदि हां, तो समिति के सदस्यों के नाम क्या हैं; और

(ग) समिति के निर्देश पद क्या हैं ?

योजना मंत्री (श्री ब० रा० भगत) :

(क) जी, नहीं।

(ख) और (ग) के प्रश्न नहीं उठता।

Construction of Dam on Godavari

437. Dr. M. S. Aney: Will the Minister of Irrigation and Power be pleased to state:

(a) Whether the irrigation project for the construction of a Dam at Kangaon near Paithan on the river Godavari has been finally approved;

(b) if so, when and the programme of its execution;

(c) whether Government are aware that the people of the Marathwada Division are opposed to this project; and

(d) if so, Government's reaction thereon?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) Yes.

(b) The Jayakwadi Irrigation project (Stage I), comprising a dam near Paithan and a left bank canal, was approved in February, 1965. The Project is proposed to be taken up during the Fourth Plan and completed in the Fifth Plan.

(c) and (d). A few persons have represented against the Project. These were duly considered.

उत्तर बिहार की पिछड़ी हुई स्थिति

438. श्री योगेश्वर झा : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पटेल आयोग की सिफारिश के अनुसार उत्तर बिहार के पिछड़े जिलों के विकास के लिए उसी प्रकार का विशेष कार्यक्रम बनाने का प्रस्ताव है, जिस प्रकार का कार्यक्रम पूर्वी उत्तर प्रदेश के चार पिछड़े हुए जिलों में प्रारम्भ किया गया था ; और

(ख) यदि नहीं, तो उत्तर बिहार के जिलों की पिछड़ी हुई स्थिति को सुधारने के लिए सरकार का क्या कार्यक्रम करने का विचार है ?

योजना मंत्री (श्री ब० रा० भगत) :

(क) जी, नहीं।

(ख) प्रश्न नहीं उठता।

Joint Board for Floods and Waterlogging

439. Shri M. Rampure: Shri Mohammed Koya:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether it is a fact that a Joint Board has been constituted to tackle floods and water-logging between States; and

(b) the names of the States where this Board will function?

The Minister of Irrigation and Power (Dr. K. L. Rao): (a) A Flood Control Board has been constituted to ensure integrated planning, unified control and direction for speedy execution of flood control works in Delhi and its contiguous areas of Punjab and Rajasthan.

(b) The States of Punjab, Rajasthan and Uttar Pradesh and the Delhi Administration are represented on this Board. The Board will deal with the flood and drainage problem in Delhi and its adjoining areas.

Enquiry into Mundhra's Holdings in U.K.

440. Shri Dhuleshwar Meena: Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Shri Hari Das Mundhra has got holding worth £10 lakhs in London in respect of which an enquiry was held by the Company Law Administration and Enforcement Branch with the help of Scotland Yard;

(b) if so, how much expenditure has been incurred on the enquiry; and

(c) with what result?

The Minister of Finance (Shri T. T. Krishnamachari): (a) to (c). The matter is under investigation at present and it would not be desirable to disclose any information about this case at the present stage.

राजस्थान नहर से पंजाब की पानी की सप्लाई

441. श्री गुलशन : क्या सिन्धु और बिद्युत मंत्री 9 सितम्बर, 1965 के तारांकित प्रश्न संख्या 510 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या राजस्थान नहर से पंजाब को पानी देने के प्रश्न पर इस बीच पुनः विचार कर लिया गया है; और

(ख) यदि हाँ, तो इस बारे में क्या निर्णय किया गया है ?

सिन्धु और बिद्युत मंत्री (डा० कु० ल० राव) : (क) इस मामले पर विचार किया जा रहा है।

(ख) प्रश्न नहीं जठता।

12 hrs.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

(i) ACCIDENT ON RAILWAY BRIDGE NEAR SITAMARHI

Shri P. R. Chakraverti (Dhanbad): I call the attention of the Minister of Railways to the following matter of urgent public importance and I request that he may make a statement thereon:—

"The reported death of four persons and injuries to others as a result of being knocked down by a passenger train on a bridge over the river Bagmati on the 9th November, 1965."

The Minister of State in the Ministry of Railways (Dr. Ram Subhas Singh): On the morning of 9-11-1965, at about 6.30 hrs. a large number of persons proceeding to the Kartik Purnima Mela were trespassing over the railway bridge No. 91-A situated at Km. 132/3—4 between Dhang and Bairagnia stations on Darbhanga-Narkatiaganj section of North Eastern Railway. At that time train No. 101 Up Darbhanga-Narkatiaganj Passenger approached the bridge. Nine of the trespassers who could not get clear were run over. Of these, four were killed and five others seriously injured.

The driver of the train on arrival at Bairagnia reported the incident at 6.45 hrs. Shortly thereafter a mob of people collected at the station and

[Dr. Ram Subhag Singh]

assaulted the driver, the guard and the station staff. The driver sustained serious injuries and some railway property was damaged.

The Government Railway Police and the civil authorities of Sitamarhi Sub Division were advised. A party of Government Railway Police arrived at the site at 9.45 hrs. About an hour later, the Sub Divisional Officer and the Asstt. Superintendent of Police of the district also arrived at the site.

The injured persons were brought to Bairagina and the local railway doctor attended to them. Thereafter the injured persons including the railway driver were taken to Sitamarhi Civil Hospital for further treatment. One of the injured persons expired on the morning of 10-11-65.

It is reported that the police have arrested eight persons for indulging in violence and are conducting investigations.

Shri P. R. Chakraverti: May I know whether any provision has been made for *ex gratia* payments to the people affected by this accident?

Dr. Ram Subhag Singh: We have appointed a committee of senior officers, and on receiving their report, we shall act according to that.

श्री यशपाल सिंह (कैराना): जब मैं पाकिस्तान के साथ हमारी लड़ाई शुरू हुई है, हमारे हर एक पुल पर गाइड खड़े हुए हैं तो वहां पर जो गाइड तैनात थे, क्या उन्होंने जाने वालों को नहीं रोका और अगर इस तरह से ट्रेसपॉसिंग हुआ, तो फिर गाइड को रखने का क्या फायदा है ?

डा० राम सुभग सिंह: माननीय सदस्य का तात्पर्य रेलवे गाइड से नहीं, बल्कि पुल पर पहरा देने वाले गाइड से है। इन सब बातों का पता पुलिस लगा रही है कि क्या क्या

बातें हुईं। जो खबर आयेंगी, हम उस के आधार पर कोई फैसला करेंगे।

श्री हुकम चन्द कछवाय (देवास): माननीय मंत्री जी ने अपने उत्तर में बताया है कि प्राठ व्यक्ति हिमक कार्यवाही करते हुए पकड़े गए। मैं यह जानना चाहता हूँ कि क्या उन व्यक्तियों का पंचमांगियों से सम्बन्ध था, क्या वे पंचमांगी थे, वे किस विचार के थे और वे किस प्रकार की कार्यवाही करने हुए पकड़े गए ? जो लोग मरे हैं, क्या उन के परिवार के लोगों को सूचना पहुंचा दी गई है।

डा० राम सुभग सिंह: जब तक पूरी रिपोर्ट न मिले, मैं उन्हें पंचमांगी कैसे कह सकता हूँ ?

श्री हुकम चन्द कछवाय: दूसरे भाग का भी उत्तर दिया जाय।

अध्यक्ष महोदय: दूसरे भाग का जवाब पहले झा चुका है कि एक कम्पटी मुकर्रर की गई है। उस की सिफारिश आने पर फ़ैसला किया जायेगा।

श्री हुकम चन्द कछवाय: क्या मरने वालों के परिवारों को सूचना पहुंचा दी गई है ?

डा० राम सुभग सिंह: सूचना पहुंचा दी गई है। हम इसके फ़लावा और भी ज्यादा करेंगे।

Shri P. C. Borooah (Sibsagar): May I know whether it is not a rule that speed restrictions are to be observed by the crew of the engine when passing over a bridge?

Dr. Ram Subhag Singh: Yes, the rule is there and it is being observed and it has been observed.

श्री न० प्र० यादव (भीतामती): मैं रेलवे मंत्री से यह जानना चाहता हूँ कि जब डैंग-बैरगिनियां रेलवे स्टेशनों के बीच बाराभती

[श्री न० प० यादव]

नदी के पुल पर करीब हजार घादमी इकट्ठे जा रहे थे, तो फिर गाड़ी क्यों नहीं रोकी गई ?

डा० राम सुभग सिंह : इस बात की भी जांच होगी कि गाड़ी क्यों नहीं रोकी गई ?

श्री तुषारोबाब जायब (नादेड) :
ऐसे रेलवे पुलों पर बार-बार एक्सिडेंट्स होते हैं, जैसे जिला शोलापुर में सीना नदी के ब्रिज पर बहुत एक्सिडेंट्स होते हैं। नदी पर जो ब्रिज होते हैं, उस के साथ साथ दोनों तरफ फुटपाथ सरकार क्यों नहीं बनाती है, जिम में ये एक्सिडेंट्स न हों ? इस ब्रिज पर फुट पाथ था या नहीं, कोई दूसरा रास्ता था या नहीं ?

डा० राम सुभग सिंह : जैसा कि श्रीमान् जानते हैं, रेल के अनेक पुल ऐसे बने हुए हैं, जहाँ केवल रेलें ही चलती हैं। यह भी ऐसा ही पुल है।

श्री विठ्ठलनाथ पाण्डेय (सलेमपुर) :
क्या सरकार इस दुर्घटना की जांच के लिए कोई उच्च कोटि की जांच समिति बिठाने का विचार कर रही है ?

डा० राम सुभग सिंह : जैसा कि मैं ने पहले बताया है कि एक मीनिजर स्कैल प्राक्सिडेंट की कमेटी बहाल की गई है।

श्री बज बिहारी मेहरोत्रा (बिस्हीर) :
क्या मंत्री जी यह बताने की कृपा करेंगे कि जब कातिक के मेले में हर साल लोग पुल पर से निकलते हैं, तो फिर इस साल वहाँ पर ट्रैकिंग कंट्रोल का इन्तजाम क्यों नहीं किया गया है ?

डा० राम सुभग सिंह : मैं नहीं जानता कि हर साल की बात कहां तक सही है, लेकिन वहाँ दोनों ओर बानिंग का निशान लगाया गया है कि नहीं चलना चाहिए, अगर यह दुर्घटना हुई है। इन सब बातों को देखा जायेगा।

12.7 hrs.

RE: CALLING-ATTENTION-NOTICE
(Query)

Mr. Speaker: We shall now take up yesterday's calling-attention notice. Now, Shri Hari Vishnu Kamath.

श्री हरिधर चन्द कच्छवाप (देवास) :
अध्यक्ष महोदय, मैं ने एक काम-रोको प्रस्ताव दिया था, जिस का सम्बन्ध एक बड़े महत्त्वपूर्ण विषय से है।

अध्यक्ष महोदय : मैं उम को इस तरह से नहीं ले सकता हूँ।

श्री मधु लिमये (मुगेर) : अध्यक्ष महोदय, मैं ने कल अपने धरानाकर्षण प्रस्ताव के बारे में जब कहा था, तो आप ने कहा था, कि आप मंजूर को भीषण देंगे। उस का संबंध यम्बई की इन्दू सुप की मिनॉ में है। 22 हजार मजदूरों का सवाल है।

अध्यक्ष महोदय : मैं उम को इस तरह नहीं उठाने दूंगा ?

श्री मधु लिमये : तो किस तरह उठाने देंगे ? वह लाखों लोगों की जिन्दगी और मौत का सवाल है। प्राक्खि यह लोक ममा काहे के लिए है ?

अध्यक्ष महोदय : वह मैं समझता हूँ।

श्री मधु लिमये : आप बतायें कि आप कब बुलायेंगे—आज बुलायेंगे, बाद में बुलायेंगे, कल बुलायेंगे ?

अध्यक्ष महोदय : मैं अब नहीं कह सकता।

श्री मधु लिमये : यह मामला 22 हजार मजदूरों का है। ये मिलें बन्द होने जा रही हैं। सरकार ने उन को हाथ में लिया था। सरकार ने उन को अच्छी स्थिति में लाने के बाद फिर मिल-मालिकों के हाथ में दे दिया। एक करोड़ रुपये का उस वक्त नफ़ा हो गया था। मिल-मालिकों ने फिर उम को बर्बाद कर दिया। अगर आप इस मामले को उठाने

[श्री मधु लिमये]

नहीं देंगे, तो फिर हम लोक सभा में क्यों आए हैं? आप मुझे दो मिनट दीजिए।

अध्यक्ष महोदय : मैं इस वक्त दो मिनट नहीं दे सकता हूँ। जहाँ तक आप के नोटिस का सवाल है, मैं ने उस को नामन्जूर कर दिया है।

श्री मधु लिमये : आप सभी नोटिसों को नामन्जूर कर देते हैं।

अध्यक्ष महोदय : मैं इसी लिए बैठा हुआ हूँ।

श्री मधु लिमये : इस पर मेरा व्यवस्था का प्रश्न है।

अध्यक्ष महोदय : इस वक्त मैं आप को व्यवस्था का प्रश्न नहीं उठाने दूंगा।

श्री मधु लिमये : क्यों नहीं उठाने देंगे? इस ध्यानाकर्षण प्रस्ताव के बारे में मेरा व्यवस्था का प्रश्न है। व्यवस्था का प्रश्न तो आप को उठाने देना होगा।

अध्यक्ष महोदय : यह कहना बड़ी अजीब बात है कि क्यों नहीं उठाने देंगे। It is a challenge to my authority that I cannot exercise that authority.

Shri Nath Pal (Rajapur): You could have perhaps helped matters by drawing his attention to the reply given to this question by the Minister concerned when I raised it the other day. He is raising a vital issue.

Mr. Speaker: Can I give reasons for every disallowance, and would they be discussed here? My reasons may be wrong. How can I have a discussion and begin to give reasons why I have disallowed it? Am I required to say when it would be taken up, why it has not been taken up?

इसी वक्त उठाऊंगा, जब यह कहा जाता है तो क्या इस तरह से स्पीकर काम कर सकता है? आप ही इस बात का फैसला करें।

Shri Nath Pal: I fully agree with you, but the matter would have been helped by going to the substance of the question raised, and the substance was very simple. I do not say you are called upon to give reasons, I fully agree with you, nor would I agree that your authority should be challenged, but I am sure that Shri Madhu Limaye would have been satisfied if you had drawn attention to the reply given in the House, namely that the Government considers that there has been mismanagement of the mills and that Government is thinking of taking them over. If a copy of that reply had been sent, he would have been satisfied.

Mr. Speaker: Was it my duty to send him the reply that has been given? Every hon. Member in the House is supposed to know what has happened before. He should know as much as I do.

Shri Nath Pal: The issue he raises is a vital one.

Mr. Speaker: He can raise it in any other manner. If it has not been answered, he might give notice by any other motion, and certainly if it is vital, I am prepared to take it up, but how can I take it on the Calling Attention Motion? That is the question.

श्री मधु लिमये: अध्यक्ष महोदय . . .

अध्यक्ष महोदय : अब मुझे आगे चलने दीजिये।

श्री मधु लिमये : यह बताया गया है . . .

अध्यक्ष महोदय : इस पर बहस नहीं कर सकते हैं।

श्री मधु लिमये : बहस की बात नहीं है। माननीय नाथ पाई जी ने कहा है कि अगर मेरा ध्यान उस प्रश्न के जवाब की ओर दिला दिया जाता तो शायद मैं नहीं उठाता। मैंने इस प्रश्न का जवाब ठीक से पढ़ा है और उसके बाद ही मैंने ध्यानाकर्षण का मुझसे दिया

है। तपसीलवार बातों में आपको पत्र लिखा है, उस में बताई है। लेकिन फिर भी आप उठाने नहीं देते हैं। 197 जो नियम है उस नियम में कहा गया है कि किसी भी सार्व-जनिक हित के मामले को श्रीर अखिलम्बनीय महत्व के किसी भी प्रश्न को आपकी खाली अनुमति ले कर उठाया जा सकता है। अनुमति लेने का क्या यह मतलब है कि आपकी वीटो का अधिकार है? हर महत्वपूर्ण सवाल पर आप वीटो इस्तेमाल करते जाएं? पहले अनुमति लेने का केवल यह मतलब है कि यका-यक कोई ऐसा मामला न आए जिसकी पहले से आपकी सूचना न दी गई हो। पहले प्रश्न आया था। उसका जवाब हम ने श्रीर से पड़ा। है श्रीर श्रीर से पढ़ने के बाद मैं इस नतीजे पर पहुंचा हूँ कि यह बहुत महत्वपूर्ण सवाल है श्रीर इसकी श्रीर मंत्री महोदय का ध्यान दिलाया जाना चाहिये। इसलिए कृपा करके आप इसको स्वीकार करें। इसको कल रखें, परसों रखें, यह आप पर निर्भर करता है। इससे एक लाख मजदूर तथा उनके कुटुम्बियों का सम्बन्ध है। यह कोई मामली सवाल नहीं है।

अध्यक्ष महोदय : मुझे अख्तियार है कि मैं अपना फैसला दूँ ?

श्री मधु लिमये : वीटो का अधिकार नहीं है।

अध्यक्ष महोदय : वीटो का मतलब तो यह है कि फैसला किसने देना है। असल में तो देखना यह है कि किसने फैसला देना है श्रीर वह माना जाएगा या नहीं माना जाएगा।

श्री सरजू पाण्डेय (रसड़ा) : माना जाएगा।

अध्यक्ष महोदय : क्या हर एक मंत्री फैसला करेगा कि आया जो मैं फैसला दूँ वह ठीक है या नहीं ?

श्री मधु लिमये : माने बनावें।

अध्यक्ष महोदय : माने श्रीर कुछ नहीं बता सकता हूँ। जो फैसला मैंने किया है उसी पर मैं कायम हूँ। श्रीर मैं कोई वजह नहीं देखता हूँ कि उसको मैं बदलूँ।

श्री हुकम चन्द कछवाय : अध्यक्ष महोदय एक श्रीर महत्व का सवाल ...

अध्यक्ष महोदय : इस तरह से कोई सवाल नहीं उठाने दे सकता हूँ।

श्री हुकम चन्द कछवाय : बहुत महत्व का सवाल है। चीन श्रीर पाकिस्तान जो भूमि दबाये हुए हैं, उसको वापिस नहीं लेना ...

अध्यक्ष महोदय : इस तरह से कैसे उठा सकते हैं ?

श्री हुकम चन्द कछवाय : प्रधान मंत्री बैठे हुए हैं।

अध्यक्ष महोदय : इस तरह से नहीं उठा सकते हैं।

श्री हुकम चन्द कछवाय : किस तरह से उठा सकते हैं ?

अध्यक्ष महोदय : आप बैठ जाइये।

12.14 hrs.

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE—contd.

(ii) POSTPONEMENT OF AFRO-ASIAN CONFERENCE IN ALGIERS—Contd.

Shri Hari Vishnu Kamath (Hoshangabad): Considering that China, after the ignominious failure of its diabolical conspiracy in Indonesia, had strenuously advocated postponement of the Algiers Conference fearing loss of face and loss of support in the Afro-Asian world whereas India had opposed such postponement all along, does the postponement now sine die, that is the virtual abandonment of the conference, signify a diplomatic

[Shri Hari Vishnu Kamath]

victory for China and a diplomatic reverse for India, and is the blow, to which the statement refers, to Afro-Asian solidarity so severe that an Afro-Asian summit conference is virtually or well nigh impossible in the near future?

The Minister of External Affairs (Shri Swaran Singh): If I have understood the question correctly, there are two points upon which my reply is required. One was whether it was a diplomatic victory for China and a reverse for India. I have attempted to deal with this to a certain extent, though not in this very language. In the balance, I feel that this could not be termed as a diplomatic victory for China although they were for postponing and they had approached various governments. The fact remains that when the Algerian government, the host, asked and sounded the various countries, a large majority of them were in favour of holding the conference. Although they had gone to Algiers, they decided that it should be postponed mainly for the reason that a large majority of the heads of States and governments would not be able to attend the conference. The second point was....

Shri Hari Vishnu Kamath: Severe blow to the solidarity.

Shri Swaran Singh: I have myself said that this is to a certain extent correct—not so much the postponement—because this is a symptom, of the unfortunate absence of solidarity at the moment and this is really a confirmation of the fissures which unfortunately had been developing for sometime in the concept of Afro-Asian solidarity.

Shri Hari Vishnu Kamath: My question was whether the Government think that the Afro-Asian summit conference is virtually impossible in the near future.

Shri Swaran Singh: I have answered that in the main reply itself.

श्री मधु तिमये : सरकार ने अफ्रो-एशियाई सम्मेलन के सामने जो प्रश्न उठाये थे और यह सम्मेलन बुलाने के बारे में सरकार की जो नीति थी क्या उस नीति के सम्बन्ध में हमारे पड़ोसी देश हैं, जैसे नेपाल है, सीलोन है, क्या यह सही है, कि इन्होंने हिन्दुस्तान का साथ देने के बजाय चीन का साथ दिया? अगर यह बात बात सही है तो क्या सरकार अपनी विदेश नीति के बारे में पुनर्विचार करेगी जिससे पड़ोसी देशों के साथ हमारे रिश्ते अच्छे हो जायें ?

श्री स्वर्ण सिंह : हमारी हमेशा कोंकूशश और इच्छा रही है कि हमारे जो पड़ोसी देश हैं उन से हमारी मित्रता बढ़े और मैं कह सकता हूँ कि मित्रता मजबूत है। यह कहना कि इस मामले में उन्होंने चीन का साथ दिया सही नहीं होगा। चीन चाहता था कि कोई देश वहाँ न जाये। नेपाल और सीलोन दोनों देश वहाँ गए। बर्मा भी मेरे खयाल में गया। उनका गवाल सिर्फ नेपाल और सीलोन के मुतालिक था।

श्री मधु तिमये : बर्मा भी तो पड़ोसी है।

श्री स्वर्ण सिंह : बर्मा के साथ मैं समझता हूँ कि हमारे बहुत मित्रता के सम्बन्ध हैं। उन्होंने नीति में तबदीली करने का सवाल भी उठाया है। यह सवाल इसलिए पैदा नहीं होता क्योंकि हम पहले ही इस बात को समझे हुए हैं कि पड़ोसी देशों के साथ हमारे सम्बन्ध दोस्ती के, मित्रता के हैं और हमारे प्रायसी सम्बन्ध मजबूत हों।

श्री मधु तिमये : प्रश्न क्या था। प्रायस्वयं सांच लीजिए, अध्यक्ष महोदय मैंने पूछा था कि यह सम्मेलन बुलाने के बारे में और स्थगित करने के बारे में हिन्दुस्तान की एक भूमिका थी और चीन की दूसरी थी। हिन्दुस्तान के द्वारा इस सम्मेलन के सामने

कुछ प्रश्न प्रस्तुत किए गए । उन प्रश्नों के बारे में तथा सम्मेलन स्थगित करने के बारे में मुझे सीधा जवाब चाहिये । नेपाल, सीलोन, बर्मा आदि पड़ोस वाले जो देश हैं उन्होंने हिन्दुस्तान का साथ दिया या चीन का साथ दिया ? उसका जवाब मंत्री महोदय दें । मित्रता बढ़ाने के बारे में क्या सरकार कर रही है, उस के सम्बन्ध में निष्कर्ष सदन निकाल सकता है । मेरे प्रश्न का जवाब नहीं

अध्यक्ष महोदय : जवाब दिया तो है कि ...

श्री मधु लिमये : नहीं दिया है । सम्मेलन स्थगित करने के बारे में हिन्दुस्तान का साथ उन्होंने दिया है या चीन का साथ दिया है ? दूसरा हिस्सा यह था कि हम ने जो प्रश्न वहाँ पर उठाये थे जैसे सोवियत संघ को वहाँ पर शामिल करो आदि उन के बारे में भी पड़ोस वाले देशों की क्या नीति रही है ? उनकी चीन की भूमिका के बारे में क्या नीति रही है और हमारे बारे में क्या रही है ? यह सवाल था जिसका जवाब नहीं आया है ।

श्री स्वर्ण सिंह : चीन तो वहाँ मौजूद नहीं था, इसलिए चीन ने तो कोई सवाल वहाँ नहीं उठाया । उनकी इच्छा जरूर थी... (इंटरप्शन)

अध्यक्ष महोदय : किमी वक्त भी बन्द होये या नहीं ? जवाब आपने पूछा है और वह अब जवाब दे रहे हैं ।

श्री स्वर्ण सिंह : जैसे मैंने कहा है कि यह स्वाहित्त्य था कि कोई देश वहाँ न जाए । उस स्वाहित्त्य के बावजूद सीलोन और नेपाल जिन के मुताल्लिक माननीय सदस्य पूछने हैं वे दोनों वहाँ गए ।

दूसरा सवाल यह पूछा गया कि जो सवाल हम ने उठाये थे उन में उन्होंने हमारे प्रयोजन की ताईद की या नहीं । सिर्फ दो

ही बातें कांफरेंस में उठाई गई थीं । एक सवाल था कि सोवियत यूनियन, मलयेशिया, और सिंगापुर, जिन के मुताल्लिक हिन्दुस्तान ने तजवीज की थी, इन तीनों देशों को ऐफो एशिया कांफरेंस में बुलाया जाये, दूसरा जो मन्स्ट्रेंटिव सवाल उठा था था वह पोस्टपोनमेंट के मुताल्लिक था । सोवियत यूनियन के मुताल्लिक किसी ने भी मुखालिफत नहीं की । कोई बीस या बाईस देश बोलें थे । उन्होंने इसकी हिमायत की । इसी तरह मे सिंगापुर और मलयेशिया के मुताल्लिक जिन्होंने हिस्सा लिया उन में से मित्रा इंडोनीशिया के जिम ने कुछ धाँड़ा सा मलयेशिया के मुताल्लिक कहा, बाकी सभी देशों के प्रतिनिधियों ने इस बात की ताईद की, इस की मुखालिफत नहीं की । इस से मैं नहीं चाहता कि कोई नतीजा निकाला जाये कि हमारे पड़ोसी देशों ने किसी तरह से भी हमारी मुखालिफत की ।

श्री किशन पटनायक (सम्बलपुर) : क्या पिछले अनुभवों के बाद भारत सरकार इस सत्य को समझने लगी है कि ऐफो एशिया एक नहीं बल्कि चार हैं : पूंजीवादी ऐफो एशिया कम्युनिस्ट ऐफो एशिया, नकली समाजवादी ऐफो एशिया और समाजवादी ऐफो एशिया ।

श्री स्वर्ण सिंह : उन्होंने जो कहा वह ठीक हो सकता है । कइयों में आइडियालोजिकल फक भी है । हर एक देश में मुखालिफ किस्म के खयाल हैं एकानमी के मुताल्लिक और पॉलिटिकल ।

Shri Narasimha Reddy (Rajampet) : I would like to know whether after this recent, sudden and last-minute volte-face of the UAR and kindred Arab nations, would the Government give up its exclusive reliance on the Arab nations and instead cultivate friendly relations with more reliable nations like Israel and Formosa?

Shri Swaran Singh : I do not accept the suggestion made by the hon. Mem-

[Shri Swaran Singh.]

ber in which he used the word 'unreliable' in relation to the Arab group of countries.

Shri Narasimha Reddy: I did not say 'unreliable'. I had asked him to cultivate more reliable relations. (*Interruption*).

Shri Kapur Singh: Diplomatic relations with Israel.

Shri Swaran Singh: It should be our endeavour to have friendly relations with all countries; that has been our endeavour. (*Interruption*).

An hon. Member: Israel.

Shri Swaran Singh: But there is no question of not recognising Israel; we do recognise Israel. There is no question on that issue.

Shri R. S. Pandey: May I know whether it is a fact that China had stipulated three conditions for agreeing to attend the conference and, if so, what are those conditions and whether any condition was accepted by the Standing Committee of the Foreign Ministers' Conference?

Shri Swaran Singh: The Chinese had laid down certain impossible conditions and they were publicised on the eve of the conference. They had said that they would attend if the Soviet Union is not invited, and some sort of advance guarantee is given to that effect. They also said that on certain issues specific resolutions of the type that they wanted should be adopted. In a conference any party, before attending, cannot demand as to what the conference should do. There were strong reactions against that suggestion, and none of those things really were even considered by the conference because they were conditions which were impossible conditions.

Shri D. C. Sharma (Gurdaspur): When the first Afro-Asian conference was held at Bandung, our country

played a very major role there. In fact, it was one of the sponsors of the Bandung Conference. May I know what has happened. . . .

Shri Kapur Singh (Ludhiana): "Very major role" is wrong English.

Shri D. C. Sharma: I think it is very right English, but the hon. Member, I think, knows nothing about English. His language is Punjabi and he is for Punjabi Suba, and therefore, he does not know anything. Sir, I was submitting very respectfully that the first Afro-Asian conference was held at Bandung about 10 years ago and our country played a major role in the convening of that conference and also in the deliberations of that conference. May I know what has happened during these ten years that we have come to occupy a place in the Afro-Asian world which is so inferior and also our voice has become so feeble that we cannot carry other people with us?

Shri Swaran Singh: Our country, along with other important countries of Afro-Asia did play some role at the time of the Bandung Conference ten years ago. At that time, there was a certain political relationship between the countries which participated in that conference. If you compare that with their relationship today, the answer to the Professor's question is there. So, after all, the Afro-Asian world itself or the solidarity or the inter-relationship of various countries is something which is not entirely within our control. That relationship reflects both the atmosphere and the possible role that any country including India can play. About the second suggestion of the hon. member, I do not accept that our voice is feeble. Our voice is there and even in this conference of foreign ministers where 45 countries were there, our country made the main proposal which was the only substantive proposal, because postponement cannot be regarded as a substantive proposal, and there was a consensus in favour of the Indian proposal.

Shri D. C. Sharma: We made a substantive proposal and nobody listened to that! What is this logic?

Shri Hem Barua (Gauhati): In spite of the adroit advocacy by our delegation at Algiers, China, as claimed by Peking, has scored a diplomatic victory at Algiers by manoeuvring to get the Afro-Asian conference postponed. In that context, may I know if our Government have conducted any probe into the reasons, both psychological and political, why some of the African nations, most of whom are opposed to communism, supported China and not India at Algiers?

Shri Swaran Singh: It is not correct that most of the African countries, about which the hon. member is asking the question, supported the Chinese stand.

Shri Hem Barua: I said, some.

Shri Swaran Singh: In fact, one of the reasons which could be regarded as a possible motive by China to ask for postponement was that China did not actually have the support which at one time China thought it had in the African world. That is considered to be an important reason which prompted China to make a move for postponement, which was a complete reversal of their original anxiety to hold the conference. So, the premise which the hon. member is projecting is not quite correct. As for China treating this as a victory, well, in any circumstance for their own consumption and for satisfying their own pride or their people, they can always give a particular projection of what happened in a most favourable form, so that they may always convert even their set-backs into advances or gains!

Shri Hem Barua: The minister said that China projected it for the consumption of their own people. Not that; China has projected that image for the consumption of the people all over the world.

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श्री विश्वनाथ पाण्डेय : जैसा मंत्री महोदय ने बतलाया है, भारतवर्ष ने बहुत काफी कोशिश की कि यह सम्मेलन हो, लेकिन परिस्थितियों के कारण यह सम्मेलन स्थगित हो गया । यह कई बार और भी स्थगित हो चुका है । मैं जानना चाहता हूँ कि ऐसी परिस्थिति में क्या यह सम्मेलन पुनः होने वाला है और इस सम्बन्ध में सरकार की क्या प्रतिक्रिया है ।

श्री स्वर्ण सिंह : उसके मुतालिक मैंने अपना बयान कल सभा पटल पर रखा था । उस में इसका जिक्र है ।

श्री युद्धवीर सिंह (महेन्द्रगढ़) : भारत चीन संघर्ष के समय यह बात बिल्कुल स्पष्ट हो गयी थी कि अफ्रीका और एशिया के कितने देश हमारे साथ हैं । इस स्थिति का पता लग जाने के बाद कौन से ऐसे कारण थे कि जिन के प्राधार पर सरकार इतनी उतावली थी कि यह अल्जीरिया की कानफरेंस हो जाए ? किस कारण उस ने इस के लिए बयान दिए ?

श्री स्वर्ण सिंह : हमें यह बात सामने रखनी चाहिए । अल्जीरिया की तरफ से जब दूसरे देशों से इस के मुतालिक पूछा गया कि वह कानफरेंस में भागना चाहते हैं या नहीं तो उस में करीब 49 देश आए, यानी बड़ी भारी गिनती में देश आए । वह चाहते थे कि कानफरेंस हो । जब सब लोगों की यह इच्छा थी तो हमारे लिए भी यह स्वाभाविक था कि कि हम भी चाहते । और हम ने इस बात को भी साफ कर दिया था कि यदि बहुमत इस बात के हक में ही हो कि कानफरेंस न हो तो उनकी मर्जी के मुताबिक हम भी चलेंगे । हर बात में उनकी हार समझना उचित नहीं है ।

श्री हुकूम खन्ड कछवाय : इस परिषद् ने एशिया के देशों की प्रगति के लिए कोई भी काम नहीं किया है, इसके प्लेटफार्म का केवल प्रोपेगन्डे के लिए उपयोग किया जाता है ।

[श्री हुकम चन्द्र कछवाय]

मैं जानना चाहता हूँ कि क्या इस परिषद को पुनः बुलाने के लिए यह सरकार कुछ करने जा रही है ?

Shri Swaran Singh: I am sorry, Sir, I have not followed the first part of the question.

Mr. Speaker: He wants to know whether the Government is going to take any action so that this Conference may be reconvened in the near future. Is that the question?

Shri Nath Pal: No. His question was this. He said that no good has come for any Asian country from this Conference. In spite of this experience and the fact that this platform is utilised for propaganda against India, he asked, will the Government persist in its effort to convene the Conference; if so, why?

Shri Swaran Singh: We have made the position clear—if that is the question really that as been put—

Shri Nath Pal: That is exactly the question that was put.

Shri Swaran Singh: We have made the position clear that if and when there is any proposal for re-convening the Conference we will consider as to what is the situation that prevails at that time and in the light of the situation prevailing we will react to the possible proposal, which I do not anticipate in the near future of any proposal being put forward, for convening the Afro-Asian Conference.

Shri Surendranath Dwivedy (Kendrapara): I would only like to know when the Government of India knew that the host country, Algeria, was also in favour of postponement of this Conference? If they had known it before our delegation left India, was it necessary for them to send the entire delegation; could they not have managed with only sending the Secretary General for the Conference

thus saving a good deal of foreign exchange?

Shri Swaran Singh: It was only when the discussions proceeded there that it appeared that the Algerian Government also were not very anxious to convene the Conference. Not only right up to the date of convening the Conference but even in the initial stages of the Conference the Algerian Government was very anxious and keen that the Conference should be held. In fact, the Foreign Minister of Algeria met me only, I think, two or three days before the Foreign Ministers' Conference in New York, and he himself gave me the impression of showing very great keenness and desire for convening this Conference.

Some hon. Members rose—

Mr. Speaker: Let us proceed now to the next item.

Shri Hem Barua: I think the Prime Minister wants to say something on that.

12-33 hrs.

RE: MOTION FOR ADJOURNMENT
(Query)

डा० राम मनोहर लोहिया (फर्रुखाबाद) : अध्यक्ष महोदय, आपने वायदा किया कि प्रधान मंत्री जी से बातचीत करेंगे.

अध्यक्ष महोदय : अभी आपको इतिला दे देता हूँ। मैंने आज सुबह आपके कागज देखे हैं। जो कुछ हुआ है उसकी आपको इतिला मिन्य जाएगी।

डा० राम मनोहर लोहिया : यह इतिला कितनी देर बाद मिलेगी।

अध्यक्ष महोदय : एक नोटिस तो आपका जहाँ तक मुझे याद है, हाजी पीर है। हाजी पीर पर अलहिदा से इसकेशन के लिए मैं

वक्त नहीं दे सकता। फॉरिन एफेयर्स पर डिबेट हो रही है, आप उसमें इसको उठा सकते हैं। हाजी पीर पर भ्रमण जिसकेशन के लिए वक्त देने का सवाल है उसे बिजनस एडवाइजरी कमेटी तै करेगी। वहां कुछ पार्टीज ने कहा है कि इंडो-पाकिस्तान कान-फिलक्ट को अनाहिदा रखा जाए—अगर हाउस की मर्जी होगी तै कुछ टाइम उसके लिए भ्रमण रख कर चाहें तो उस पर बहस कर सकते हैं, मुझे एतराज नहीं होगा। बिजनस एडवाइजरी कमेटी इस बात को देख लेगी और उसका फैसला हाउस के सामने धावेगा, वह एप्रोवल देगा उसके मुताबिक काम चलेगा। और उस वक्त में यह बहस हो सकेगी।

डा० राम मनोहर लोहिया : यह हाजी पीर वाला मामला बहुत कठिन हो गया है। प्रधान मंत्री महोदय ने अभी दो दिन पहले एनान किया कि किन्हीं परिस्थितियों में हाजी पीर और टिथवाल से हट जाएंगे, जब कि उनका इस लोक सभा में और दूसरी जगह आश्वासन हो चुका था कि हाजी पीर से तो वह किसी हालत में नहीं हटेंगे। इसलिए यह बहस आपकी साधारण बहस में नहीं धा सकती। यह स्थान प्रस्ताव की बहस है। एक प्रधान मंत्री अपने आश्वासनों को इस तरह से तोड़ें जो कि बहुत बहुत गम्भीरता से दिए गए थे तो बहस भ्रमण से होनी चाहिए। परसों प्रधान मंत्री ने कहा कि किन्हीं परिस्थितियों में वे हाजी पीर को छोड़ने के लिए तैयार हो जाएंगे। अगर उनको सन्तोष मिल जाएगा, घुसपैठियों के मामले में। तो इस सम्बन्ध में मेरा स्थान प्रस्ताव है और मैं सामझता हूँ कि हमारे नियमों के अनुसार उस स्थान प्रस्ताव को आपको ले लेना चाहिए।

उसके अलावा मेरा प्रस्ताव राजस्थान में जिन जमीनों पर पाकिस्तानियों ने कब्जा किया है उसके बारे में है। अब यह

निबिबाद हो चुका है कि जो कुछ प्रधान मंत्री जी महोदय या उनके जनरल चौधरी साहब ने या और लोगों ने राजस्थान की जमीनों या भारत की जमीनों के बारे में कहा वह असत्य है, क्योंकि पाकिस्तान के कब्जे में सारे भारत की बहुत काफी जमीन अभी भी है, उस सम्बन्ध में भी बहस हो। मैं अध्यक्ष महोदय, केवल यह निवेदन कर दूँ कि....

अध्यक्ष महोदय : डाक्टर साहब, आप सारी बातें कैसे ला सकते हैं। आप जितनी नुक्ताचीनी करना चाहते हैं इसी वक्त कर दें इसके लिए मैंने मौका नहीं दिया है।

डा० राम मनोहर लोहिया : यह कर लेने देंगे तो बात साफ हो जाएगी।

अध्यक्ष महोदय : जब आपको धावे बहस में मौका मिले तो उस वक्त ये सारी बातें कहिएगा।

डा० राम मनोहर लोहिया : इसलिए कि....

अध्यक्ष महोदय : नहीं डाक्टर साहब।

डा० राम मनोहर लोहिया : यह प्रश्न इतने महत्व का है....

अध्यक्ष महोदय : मैं इसे एनाऊ नहीं करता। जब फॉरिन एफेयर्स पर डिबेट धा रही है तो उसमें यह धा सकता है। मैं इसके लिए अनाहिदा वक्त कैसे दे सकता हूँ।

डा० राम मनोहर लोहिया : मैं यह प्रश्न कर दूँ कि मिनम्बर महीने में भारत ने दो बड़ी कामयाबियाँ हासिल की, अगर धाए इजाजत दें तो कह दूँ। खैर जाने दीजिए लेकिन यह तो सुन लीजिए कि उर्सा महीने में नाकामयाबियाँ और नाकामयाबियाँ भी शुरू हो गयी थीं। अब वे बढ़ती चली जा रही हैं। इस वक्त तक पांच छः नाकामयाबियाँ हो चुकी हैं।

अध्यक्ष महोदय : मुझे समझ में आ रहा है लेकिन डाक्टर साहब आपको यह सारी नुक्ताचीनी करने का और गवर्नमेंट पालिसी पर बोलने का यह मौका नहीं है। मैं इसके लिए अलहिदा वक्त नहीं दे सकता। यह उसी में शामिल है। सारी चीजें आप इसमें नहीं ला सकते। (व्यवधान) श्री बलीराम भगत ।

श्री हुकूम चन्द कछवाय (देवास) : मुझे मौका दिया जाए। मैं सदा आपका अनुशासन मानता हूँ। मुझे समय दिया जाए।

अध्यक्ष महोदय : क्या आप भी चाहते हैं कि इसी तरह से बोलें।

श्री हुकूम चन्द कछवाय : मुझे एक दो मिनट का मौका दीजिए। मैं हमेशा आपके अनुशासन का पालन करता हूँ। मैंने एक नोटिस दिया था कि जो प्राषण नम्बूद्रीपाद ने दिया था कि पाकिस्तान और चीन ने जो जमीन ले ली है वह उनसे न ली जाए...

अध्यक्ष महोदय : आपने नोटिस दिया था, मैं ने मंजूर कर दिया। आप बतलाइए कि उसके बाद अब क्या हो सकता है।

श्री हुकूम चन्द कछवाय : आप उनको समय देते हैं, मुझे नहीं देते हैं। मैं सदा आपके अनुशासन का पालन करता हूँ।

अध्यक्ष महोदय : जिस तरह उन्होंने समय लिया आप ने भी ले लिया। यही चलेगा तो हाउस का काम कैसे चलेगा...

श्री हुकूम चन्द कछवाय : जो आपके अनुशासन में रहे, उसे तो समय देना चाहिए।

अध्यक्ष महोदय : जो अनुशासन में रहते हैं वह समझते हैं कि शायद वे घाटे में रहते हैं इसी तरह हर एक मेम्बर को बोलते रहना चाहिए। मैंने कई दफा बोलने को मना किया और आप बोल रहे हैं। अगर हम तरह हर एक मेम्बर बोलने लगेगा तो कैसे काम हो सकेगा। श्री भगत ।

श्री मधु लिमये (मुंगेर) : मेरा एक व्यवस्था का प्रश्न है।

अध्यक्ष महोदय : कोई व्यवस्था का प्रश्न नहीं है।

श्री मधु लिमये : मेरा व्यवस्था का प्रश्न है। उसे मुन लीजिए।

अध्यक्ष महोदय : कोई व्यवस्था का प्रश्न नहीं हो सकता। अभी एक काम खत्म हुआ है...

श्री मधु लिमये : खत्म नहीं हुआ है। मेरा व्यवस्था का प्रश्न है...

अध्यक्ष महोदय : हाउस सुबह से देख रहा है कि मधु लिमये साहब कितनी इकावट डाल रहे हैं और काम नहीं चलने देते। जब मर्जी में आता है वह खड़े हो कर बोलने लगते हैं...

मैं ने बहुत बर्दाश्त किया है मगर अब इससे ज्यादा नहीं कर सकता। अगर उन का मतलब यह है कि मुझे फ्लाउट कर के जो मर्जी हो कहें तो वह अब के कहें और जो हाउस की मर्जी होगी वह उस पर एक्शन लेगा। यह बात बर्दाश्त नहीं की जा सकती है कि जिस वक्त वह चाहें खड़े हो जायें और जब तक वह चाहें बोलते चले जायें और जो उनकी मर्जी हो कहें। साथ ही मुझे भी चेल्ज करें कि आपको यह अधिकार नहीं है। मुझे किस तरीके से बंद करते हैं और यह भी कहें कि मैं तो कहूँगा और इस वक्त बोलूँगा। यह बातें जो हैं इस हाउस में बर्दाश्त नहीं हो सकती हैं। मैं इस चीज को बर्दाश्त नहीं कर सकता और न मैं इस चलने दंगा।

श्री मधु लिमये : मैं ने ऐसा नहीं कहा।

अध्यक्ष महोदय : मैं ऐसे नहीं चलने दूँगा। जब मैं ने कहा है तो आप को बंद होना पड़ेगा। यह कैसे काम हो सकता है हाउस का ?

Papers to be laid on the Table.

12.41 hrs.

PAPERS LAID ON THE TABLE

CERTIFIED AUDITORS' (AMENDMENT) RULES, SCHEMES UNDER BANKING COMPANIES ACT ETC.

The Minister of Planning (Shri E. K. Bhagat): I beg to lay on the Table:

- (1) a copy of the Certified Auditors' (Amendment) Rules, 1965, published in Notification No. G.S.R. 1480 in Gazette of India dated the 9th October, 1965, under sub-section (3) of section 642 of the Companies Act, 1956. [Placed in Library. See No. LT-5111/65].
- (2) a copy each of the following Schemes under sub-section (11) of section 45 of the Banking Companies Act, 1949:—
 - (i) Scheme for the amalgamation of the Malnad Bank Limited, Tarikere, with the State Bank of Mysore, published in Notification No. S. O. 3173 in Gazette of India dated the 16th October, 1965.
 - (ii) Scheme for the amalgamation of the Josna Bank Limited, Cochin with the Lord Krishna Bank Limited, Cranganore, published in Notification No. S.O. 3175 in Gazette of India dated the 16th October, 1965. [Placed in Library. See No. LT-5112/65].
- (3) a copy each of the following Notifications making certain amendments to the Kerala Land Reforms (Tenancy) Rules, 1964, under section 130 of the Kerala Land Reforms Act, 1963, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President discharging the functions of the President, in relation to the State of Kerala:—
 - (i) S.R.O. No. 298/65 published in Kerala Gazette dated the 27th July, 1965.

(ii) S.R.O. No. 315/65 published in Kerala Gazette dated the 10th August, 1965.

(iii) S.R.O. No. 334/65 published in Kerala Gazette dated the 24th August, 1965. [Placed in Library. See No. LT-5114/65].

NOTIFICATIONS UNDER CUSTOMS ACT, CENTRAL EXCISE AND SALT ACT, CUSTOMS AND CENTRAL EXCISE EXPORT DRAWBACK (GENERAL) SEVENTH AMENDMENT RULES, DELHI SALES TAX (AMENDMENT) RULES, NOTIFICATION UNDER INCOME TAX ACT.

The Deputy Minister in the Ministry of Finance (Shri Rameshwar Sahu): I beg to lay on the Table:

- (1) a copy each of the following Notifications under section 159 of the Customs Act, 1962 and section 38 of the Central Excises and Salt Act, 1944:—
 - (i) The Customs and Central Excise Duties Export Drawback (General) Sixty-eight amendment Rules, 1965, published in Notification No. G.S.R. 1466 in Gazette of India dated the 2nd October, 1965. [Placed in Library. See No. LT-5115/65].
 - (ii) The Customs and Central Excise Duties Export Drawback (General) Seventieth Amendment Rules, 1965, published in Notification No. G.S.R. 1514 in Gazette of India dated the 16th October, 1965. [Placed in Library. See No. LT-5116/65].
- (2) a copy each of the following Notifications under section 159 of the Customs Act, 1962:—
 - (i) G.S.R. 1515 published in Gazette of India dated the 16th October, 1965. [Placed in Library. See No. LT-5116/65].

(ii) G.S.R. 1539 published in Gazette of India dated the 14th October, 1965. [Placed in Library. See No. LT-5119/65].

(iii) G.S.R. 1585 published in Gazette of India dated the 27th October, 1965. [Placed in Library. See No. LT-5121/65].

(iv) G.S.R. 1569 published in Gazette of India dated the 30th October, 1965. [Placed in Library. See No. LT-5120/65].

(3) a copy of the Delhi Sales Tax (Amendment) Rules, 1965, published in Notification No. F. 4 (98)/64-Fin (E) in Delhi Gazette dated the 29th July, 1965, under sub-section (4) of section 28 of the Bengal Finance (Sales Tax) Act, 1941, as in force in the Union Territory of Delhi. [Placed in Library. See No. LT-5110/65].

(4) a copy of Notification No. G.S.R. 1491 published in Gazette of India dated the 30th September, 1965, under sub-section (4) of section 280ZE of the Income Tax Act, 1961. [Placed in Library. See No. LT-5117/65.]

12.43 hrs.

RAILWAYS (EMPLOYMENT OF MEMBERS OF THE ARMED FORCES) BILL—contd.

Mr. Speaker: Further consideration of the following motion moved by Dr. D. S. Raju on the 8th November 1965, namely:—

“That the Bill to make certain provisions relating to the employment of members of the Armed Forces of the Union in the working and management of railways, be taken into consideration.”

श्री श्रीकार लाल बेरवा (कोटा) :
इस पर कितना समय रह गया है ?

प्रध्यक्ष महोदय : दो घंटे का समय इस के लिए था जिस में मे 45 मिनट खर्च हो चुके हैं और अभी 1 घंटा और 15 मिनट बाकी रहते हैं ।

Shri D. C. Sharma (Gurdaspur): My first duty is to pay my humble tribute to the railway workers of all grades in all parts of India for the splendid part they played when we were fighting aggression from Pakistan.

You, Sir, were kind enough to send a parliamentary delegation to the forward areas. One of the under-secretaries of this secretariat was with us. He had promised to give us a meal at Ludhiana. He wanted to see where we were located and he held a torch to see whether he could find us out. But he was taken hold of by the railway authorities, thinking that he was a Pakistan spy. He was not able to come to us. He was held there for about 30 minutes. That shows how vigilant the railway authorities have been at the time of the aggression.

12.45 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

I think I am fully justified in saying that the railways all over India have given a very good account of themselves. This becomes all the more apparent when we come to those areas where the war actually fought, in the Punjab and Rajasthan, and also Assam and other States of India. I know what the railway workers did all along the line from Amritsar to Pathankot. I know what wonderful work they did in the railway line from Ludhiana to Ferozepore and Fazilka. In the same way, railway workers of all grades in Rajasthan did their duty by their country. Their work was a work of dedication. I think the whole country is proud of it.

[Shri D. C. Sharma]

So far as my own constituency is concerned, it had to bear the brunt of Pakistani aggression. Gurdaspur was bombed, Pathankot was bombed, Dinanagar was bombed, Bhariwal and Batala were bombed. People lived in a very strange kind of atmosphere. Of course, they had no fear. All the same, they know they were liable to attack any time of the day or night. As you know, a railway train carrying petrol was bombed at Gurdaspur. In the same way, the marshalling yard at Dinanagar railway station was damaged. While I pay my tribute to the railway workers, I also pay my tribute to the citizens of the Gurdaspur district, Dinanagar and Batala and Pathankot who volunteered themselves at that time in hundreds in order to offer their services. Some volunteered to disengage the burning wagon from the other wagons. If that petrol wagon had not been disengaged, I think Gurdaspur would have been reduced to ashes that very day. So the railway workers and the voluntary workers are all to be congratulated on bearing the brunt of the Pakistani aggression.

At the same time, I feel that this is a wholesome Bill, because I feel there are occasions when our civilian forces cannot work as efficiently as our armed forces. This happens when there is any kind of aggression. All these strategic lines of India from Amritsar to Pathankot, from Ludhiana to Ferozepore and Fazilka, all the lines of strategic importance—in fact, I do not know which line is not of strategic importance now—all the lines of India have, I feel, to be taken over sooner or later, at one time or other, by the military authorities because they can ensure greater safety of passengers, greater custodianship of goods and greater preservation of the transport activities of our country. This Bill is aimed at that.

But I find that this Bill does not refer only to that. This Bill relates to the past. But in the *Hindustan Times*

of Sunday, 7th Nov., I read an account which shows that the Defence Ministry has not to sleep over this Bill; it has not to go on a holiday after the Bill has been passed, but it has to think of the immediate future, the near future. In the *Hindustan Times* issue of the date I referred to, it is given that there is a very heavy build-up by Pakistan in the Sialkot and Lahore sectors and that the Jammu, Ferozepore and other districts are very much in the purview of their military activities, that Pakistan is not going to be content with these things, but it is also thinking of staging some kind of aggression in Kashmir and Ladakh; it might do so after the snows have melted.

Then there is the question of those persons who have been displaced from the Chhamb area and other places occupied by Pakistan.

As I was submitting this Bill is a Bill meant for the future safety of our country.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri D. C. Sharma: I would make a few suggestions and then sit down because you have rung the bell so soon. Firstly, in order that the railways should be safeguarded and the armed forces should be strengthened, an armed belt should be created within 15 miles of those districts which are called border districts, such as, Ferozepore, Gurdaspur and others.

My second suggestion is that we should see to it that within that 15-mile belt the people are armed as fully as possible. This will help the railways and the army men. Then, the civil defence apparatus, which is of course under the Home Ministry, has got to be geared up. My fourth point is that anti-aircraft guns have to be supplied as abundantly as possible in order to counteract the air raids which were so frequent in the Gurdaspur, Ferozepore and Fazilka sectors.

[Shri D. C. Sharma]

I was told that about 5,000 private carriers were deployed by the Punjab and about 600 came from the UP. All these private carriers who helped the Government should also be taken note of and something should be done for them also.

So, I would say that this Bill is welcome because it assigns definite duty to the military personnel for the protection of railways and for safeguarding all our cargo, equipment and everything. It also gives them those very privileges which are due to railway workers. This is good. Though ostensibly they may be in the armed services, practically they will be in the railway service. It is a very happy compromise. But I would also say that the Minister should bring forward a comprehensive Bill covering the railways, the Navy, as Shri Raghunath Singh said, the public carriers and other vehicles of communication also so that the people in those places which are border States or border districts can give a good account of themselves and can be a real source of strength to the armed forces of our country.

श्री श्रीहर लाल बेरवा : उपाध्यक्ष महोदय, मैं उन सभी गाइड, ड्राइवर्स, अन्य रेलवे कर्मचारियों और सैनिकों को धन्यवाद देता हूँ, जिन्होंने इस संकट कालीन स्थिति में अपना बलिदान दिया। मैं ने राजस्थान में अपनी आँखों से देखा है कि बम-वर्षा होदे हुने भी वहाँ पर रेल-गाड़ियां ठीक तरह से चलती रहीं। जोधपुर से बाइमेर जाने वाली गाड़ी पर सैनिक तैनात थे। उन्होंने इतनी बहादुरी से काम किया कि उन को जितनी भी सहायता दी जाये, उन का जितना भी उपकार किया जाये, वह उनकी बहादुरी के मुकाबले में बिल्कुल निल है। उस क्षेत्र में ब्लैक फ्लाउट की वजह से भ्रष्टकार होता था जिस में बमों की धावाज और चमक से ऐसा मालूम होता था कि बारिश की

बिजली चमक रही है और दीपावली मनाई जा रही है। बमों की जगह से वहाँ पर तीन तीन घंटे तक आँखें बन्द हो जाती थीं और खदयों में बैठे हुए साम भी नहीं लिगा जा सकता था। इन परिस्थितियों में वे सैनिक अपनी गाड़ियों का रक्षा करते थे। इस लिए इस बिल के द्वारा उनको जो सुविधाएं दी जा रही हैं, उस के बारे में तो कोई दो रायें नहीं हो सकती हैं।

रेलवेज की सब सुविधायें तो उनको देनी ही चाहियें, लेकिन वहाँ पर जिन लोगों की मृत्यु हुई है, खास तौर पर उन के बच्चों बच्चियों के लिये शिक्षा की व्यवस्था की जानी चाहिए। उन को जमीन आदि की जो मदद हो सके, वह दी जानी चाहिये, क्योंकि इस संकट कालीन स्थिति में उन लोगों ने जो काम किया है, उसका वर्णन नहीं किया जा सकता। रेलवे प्रशासन उन का जितना भी उपकार करे, वह थोड़ा है।

बाइमेर तक जो गाड़ी जाती थी, उस पर ब्लैक फ्लाउट के भ्रष्टकार में सैनिक जब टार्च जलाते थे, तो ऐसा लगता था कि बाग में कीड़े चमचमा रहे हैं। उन्होंने इतनी तत्परता से काम किया कि उस भ्रष्टकार में कोई भी एक्सप्लोड नहीं हुआ और यात्रियों को किसी असुविधा का सामना नहीं करना पड़ा। उन दिनों भ्रष्टकार में, पंजाब, बाइमेर और जैसलमेर आदि सभी लाइनों पर उन्होंने सुरक्षा की इतनी अच्छी व्यवस्था की कि कहीं भी ऐसी घटना नहीं हुई कि किसी यात्री का दस पांच हजार रुपये का माल गायब हो गया हो।

जो बिल इस समय सदन में प्राया है, मैं उस का हृदय से स्वागत करता हूँ और समर्थन करता हूँ। रेलवे विभाग को उन लोगों को सब फसिलिटीज देनी चाहिए।

[श्री श्रीकार लाल बेरला]

इसके साथ ही मैं यह भी चाहता हूँ कि इस संकट-कालीन स्थिति में गाड़ों, ड्राइवर और टी० टी० वगैरह को हथियारों की ट्रेनिंग दी जाये, उन को राइफलें दी जायें, ताकि वे स्वयं अपनी रक्षा कर सकें। गाड़ी में गाड़ पीछे होता है और ड्राइवर आगे होता है। वगैरह ड्राइवर के गाड़ी नहीं चल सकती है। इसलिए यह आवश्यक है कि उन को अपनी हिफाजत करने के लिए राइफल्स वगैरह दी जायें और हथियारों की ट्रेनिंग भी दी जाये।

माननीय सदस्य, श्री शर्मा, ने एन्टी-एयरक्राफ्ट गन्ध के बारे में जो कुछ कहा है, मैं उस का समर्थन करता हूँ। एन्टी-एयरक्राफ्ट गन्ध न होने की वजह से दुश्मन के हवाई जहाजों ने राजस्थान में इस तरह बम फेंके, जैसे किसी शहर में चोर बेधड़क फिरता है, पुलिस लगता है और किसी की हिम्मत नहीं है कि उस चोर को पकड़ सके। दुश्मन को मालूम हो गया था कि जांधपुर में एन्टी-एयरक्राफ्ट गन्ध नहीं है, इसलिए उस ने उस नगर पर बहुत हमले किये। अगर वहां पर एन्टी एयरक्राफ्ट गन्ध होती, तो वहां पर जो 189 बम गिराये गए, जो पांच लाख रुपये का नुकसान हुआ, जो चालीस प्रादमियों की मृत्यु हुई, वह शायद न होता।

मैं यह भी निवेदन करना चाहता हूँ कि इस संकट-कालीन स्थिति में एन्टी-एयरक्राफ्ट गन्ध गाड़ी के पीछ के डिब्बे में या किसी और तरह से फिट की जायें। जैसा कि मैं ने पहले कहा है, रेलवे के कर्मचारियों, ड्राइवर, गाड़ और टी० टी० आदि को हथियारों की ट्रेनिंग दी जाये, उन को राइफलें दी जायें, ताकि वे स्वयं अपनी हिफाजत कर सकें।

जिन लोगों को इस प्राप्ति का सामना करना पड़ा है, जिन परिवारों के लोग मरे हैं, उन को पूरी सुविधा दी जानी चाहिए। सैनिकों को वे सब सुविधाएं दी जायें, जो कि

रेलवेज में गाड़, टी० टी० और अन्य कर्मचारियों को दी जा रही है। धन्यवाद।

Shri V. B. Gandhi (Bombay Central South): Mr Deputy-Speaker, Sir, I see that this Bill has been receiving general support from all sides of the House.

श्री हुकम चन्द कछवाय : (देवास) : उपाध्यक्ष महोदय, मेरा ब्यवस्था का प्रश्न है। सदन में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The bell is being rung. . . Now there is quorum. Shri Gandhi may continue his speech.

Shri V. B. Gandhi: This is as it should be. It is a simple Bill for all it asks of us is that when members of the armed forces are employed to assist the railway services, these members of the armed forces should have the same powers. . . .

श्री हुकम चन्द कछवाय : उपाध्यक्ष महोदय, मेरा ब्यवस्था का प्रश्न है। हाउस में गणपूर्ति नहीं है।

श्री हरि चिन्म कामत (होशंगाबाद) : गणना ठीक नहीं हुई है।

श्री शिव गुप्त (बटिहार) : इलक्ट्रानिक काउंटर होना चाहिए।

Mr. Deputy-Speaker: There is quorum. Shri Gandhi may continue his speech. Please go on.

18 hrs.

Shri V. B. Gandhi: As I was saying, this is as it should be. It is a simple Bill. All it asks is that when members of the armed forces are sent to assist the railway services, they should have the same powers, the same status and the same immunities as members of the railway services have

[Shri V. B. Gandhi]

In other words, we should see that the members of the armed forces fall within the definition of a 'railway servant' under the Railways Act of 1890.

श्री हुकुम चन्द कछवाय : उपाध्यक्ष महोदय, हाउस में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The bell is being rung—Now there is quorum. Shri Gandhi.

Shri A. S. Saigal (Janjgir): On a point of order. We in this House have decided that between 1.00 and 2.30 p.m. quorum shall not be challenged. So is it in order to raise the point of quorum now? If you refer to the proceedings of the House relating to that, you will see that we have taken this decision.

Mr. Deputy-Speaker: That convention is given up.

Shri Hari Vishnu Kamath: He is talking of ancient history, not modern history.

Shri V. B. Gandhi: As I was saying, it is only fair that the members of the armed forces employed in railway service should have parity with the members of the regular railway service. They should also have the same protection because without this protection, it is not possible for them to handle railway property and to give instructions. It is not unusual for members of the armed forces to come to the assistance of the railway services in times of emergency. That is done all over the world when major emergencies are to be faced.

Now, what is the idea behind associating members of the armed forces with the railway services? It is not that they only supplement the members of the railway service; it is more than that. These armed forces are in a position to supply certain skills, they are in a position to supply a certain stiffening; they are in a position

to supply a certain element of discipline, and above all, they are able to provide resourcefulness, which is of great value in emergency.

श्री हुकुम चन्द कछवाय : उपाध्यक्ष महोदय, हाउस में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The bell is being rung—Now there is quorum.

Shri V. B. Gandhi: That members of the armed forces are to assist the railway services is no reflection on the quality of the railway services. After all, Shri Indrajit Gupta asked the other day what was the *raison d'être* of this Bill. The *raison d'être* of this Bill is not that those members of the armed forces are required to protect or guard railway property or do any such thing; for that, we have the Railway Security Force. But it is these qualities I have referred to that the armed forces are expected to supply in an emergency. There are occasions, there may arise occasions, when it will be necessary to assume exclusively the whole of the working, management and maintenance of the railways or a portion of a railway or a section of it. In such cases, of course, the Indian Railways Act will not apply; only the Army Act will apply. This is all that the Bill seeks to achieve.

Shri Priya Gupta: I rise to make a few observations on this Bill and I would solicit the Minister to clarify the points. First, in the first portion of the statement of objects and reasons, it has been mentioned that in an emergency, occasions may arise when members of the armed forces have to be employed to assist the railway administration.

श्री हुकुम चन्द कछवाय : उपाध्यक्ष महोदय, हाउस में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The bell is being rung—Now there is quorum. Shri Priya Gupta.

Shri Priya Gupta: What I wanted to say was that the first portion of the Statement of Objects and Reasons says:

"The personnel so employed do not, however, fall within the definition of "Railway servants" under the India Railways Act, 1890, even while actually working on Railways. It is, therefore, necessary to confer upon the members of the Armed Forces so employed the same powers, status and immunities, and impose upon them the same liabilities, as are applicable to Railway servants under the Indian Railways Act, 1890."

This is the first portion. Then, the latter portion says:

"During the period of such assumption the Indian Railways Act, 1890 should not apply in respect of the Railway or portion or section of the Railways so taken over. . . ."

Here you say that during the period of such assumption, the Indian Railways Act, 1890 should not apply. But in the former portion it is said that this is to bring them at par. . . .

The Deputy Minister in the Ministry of Defence (Dr. D. S. Raju): For the latter portion, they come under the Indian Arms Act,

Shri Priya Gupta: Then, I want to know whether the entire working of the Railways including the works of the guard, the driver, the Station master, the points-man, the fire-man, the controller and all other transportation work will be done by the military personnel or there will be railwaymen working in those areas also which come under the latter portion of the statement of Objects and Reasons. That should be clarified. If the position is that wherever the military assumes a section or a portion, or the entire Railway Zones, there will be no railwayman. I want to know the criterion of choosing such areas. Take, for example, Poona. Poona supplies war production mate-

rial to Punjab frontier, Assam frontier, West Bengal frontier and Bihar frontier. Similarly, there are some other war production centres in different parts of India and not a single railway route will be left but where the military and ammunition movement will not be made. So, I want to know whether the entire 12 lakhs of railway employees will be replaced by 12 lakhs of armed personnel. I want to know further whether in the portions taken over by the military, there will be the railwaymen working in those portions. What I intend to say is this. During the Second World War, during the period 1942-45, when the eastern portion was taken over by the U.S.A. armed personnel, they were running the railways along with the railwaymen working as station masters, guards, points-men, fire-men, controllers, D.T.S., A.T.S. and so on. I want to know whether the Minister means this sort of arrangement or the entire replacement of these railwaymen.

Secondly, when taken over by the military, I want to know, whether the "General Rules" prescribed by the authorities in respect of safety and the operational rules which come under the Indian Railways Act will also be abolished. Recently, the Accidents Commission had said that Safety Rules must be more strictly observed—it gave certain decisions also—that many guards and drivers, A.S.Ms. etc. are losing their jobs because of stiffening the safety rules. I want to know whether during the period of assumption of charge by the military people exclusively, these "General Rules" and the "safety rules" will also be abolished. During the emergency it is not proper that something most essential should be done away with. These safety rules are the basic requirements which are to be followed in the matter of safe running of the trains.

Thirdly, I want to know whether wherever the railwaymen and the military people will be there, the

Members of the
Armed Forces) Bill

[Shri Priya Gupta]

trade union rights, the service conditions and other things as given to the railwaymen by virtue of the service agreement will remain in tact. During the Second World War, we have seen that the trade union rights, the service conditions, etc. had remained in tact. The hon. Minister may clarify the actual position in respect of the fate of these things wherever the military personnel will administer a portion or take over the entire working of the Railways.

Then, there are also the "Appeal and Discipline rules," for Railwaymen. I want to know what will happen to them.

What will happen to the public? Will they get the facilities as they have been ensured under the I.R.C.A. rules in the matter of sending and bringing materials from one province to another and in the safe running of the trains?

Then, during the Second World War, the railwaymen were given 25 per cent allowance of their basic pay on account of their working on the war front. During recent Pak. aggression, we have all appreciated their sacrifices and have stood up in reverence for the deceased railwaymen who sacrificed their lives in protecting the motherland in the border areas of Ferozepur., Gurdaspur, Jodhpur, Amabala and other places. You have appreciated their services. Is it because of the deficiency in the work of the railwaymen in the matter of running of trains that you have deemed it necessary to assist or to replace them by the military personnel? If so, are you going to give these Armed Forces proper training of transportation which is the fundamental pre-requisite from the operational point of view?

My submission is that you must clarify these points. On the one side, you appreciate the services of the railwaymen and on the other side, it will appear to be a great slur on the railwaymen that they are incapable and inefficient in running the

Railways. I request the hon. Minister to clarify these points. If the intention is otherwise, if it is in the greater interest of the country, I have no objection in supporting this measure. These points should be clarified before you proceed with the passing of this Bill.

Mr. Deputy-Speaker: He should conclude now.

Shri Priya Gupta: Lastly, I give my respectful ovation to all the railwaymen who have been working round the clock. We expect the Ministry of Defence to give them proper facilities and to give them the war front allowance. They should also be provided with subsidised grain shops for which they have been crying for so long. Rice is being sold at Rs. 2.75 p. per kilo in north Bihar and Bengal in eastern parts of Bihar and in Assam also. The prices have shot up. The prices of all the essential commodities are going up. As for the efficient running of the trains, coal is required, similarly, for the efficient working of the man, food is required. The Prime Minister has been telling the people एक रात खाना छोड़

दो। हम दो रात से खाना नहीं खा रहे हैं।

एक रात खाना छोड़ने का सवाल नहीं है।

Only that will not solve the problem. My question is: Why should the price shoot up? Have the Government thought of controlling the price? That is my demand. I request the hon. Minister to clarify the points that I have made.

श्री श्री सिंह सहगल : उपाध्यक्ष जी, यह जो बिल लाया गया है उस के ऊपर मैं अपने स्वाभावत जाहिर करना चाहता हूँ और वह यह है कि

श्री हुकम चन्द कश्यप : मेरा ब्यवस्था का सवाल है। हाउस में गणपूर्ति नहीं है।

13.21

(कोरम की घंटी बजाया गयी)

Mr. Deputy-Speaker: This is the 5th or 6th time that the quorum bell is being rung. I request the members to keep the quorum.

Now there is quorum. The Hon. Member may continue.

श्री छ० सि० सहगल : उपाध्यक्ष जी, मैं कहना चाहता था कि हमारे ग्राम्पे फोरसेज को वे शी हक दिये जाएं जो कि रेलवे ऐक्ट 1890 के मातहत रेलवे कर्मचारियों को है। मेरे दोस्त गुप्ता साहब से मैं कहना चाहता हूँ कि जो बिल में यह कहा गया है कि रेलवे कर्मचारियों पर वही कानून लागू होंगे जो कि ग्राम्पे फोरसेज पर होने है, इसका मतलब यह नहीं है कि रेलवे के लोगों को कहा जाएगा कि वे कार्य नहीं कर सकते। ऐसी चीज नहीं है। मैं कहूँगा कि वह इस चीज को ध्यान में देखें।

यह बिल लाया तो जरूर गया है और मैं इस की तारीफ करता हूँ, लेकिन पाकिस्तान से लड़ाई के बाद जो स्थिति उत्पन्न हो गई है उसको देखते हुए उनको एक काम्प्रीहेन्सिव बिल लाना चाहिये था। उनको चाहिये कि हमारी मारी दिक्कतों का देख लें और उसके बाद ऐसा कानून लाइए कि जिस के अनुसार इमरजेंसी के वकत हमारे ग्राम्पे फोरसेज के लोगों को ज्यादा से ज्यादा मदद दी जा सके। इसके अलावा मैं तो यह भी कहूँगा कि रेलवे कानून में भी हमका इन तरह रद्दो बदल करनी चाहिये जिससे हमारे फोरसेज के लोग रेलवे में काम कर सकें।

हमने अपने बड़े बड़े स्टेशन्स पर देखा है कि जो सामान आता है उसका देख रख के लिए रेलवे प्रोटेक्शन पुलिस रहती है। लेकिन मेरा खयाल है कि अगर

यह काम फौज के किसी प्रादमी के जिम्मे कर दिया जाए तो ज्यादा अच्छा होगा।

मैं मंत्री महोदय से कहूँगा कि हमारे जवानों ने जो काम किया है उसको देखते हुए उनको जितनी भी मदद दी जा सकती है दी जानी चाहिये। इन शब्दों के साथ मैं उनसे अप्रार्थ करूँगा कि वह एक काम्प्रीहेन्सिव बिल इन सब चीजों को देख कर लाएँ। इस तरह पीस मिल बिल लाने में फायदा नहीं हो सकता।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ।

Dr. D. S. Raja: Mr. Deputy-Speaker, Sir. . .

श्री हुकम चन्द कच्छाय उपाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है, हाउस में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The bell is being rung . . .

Now there is quorum. The Hon. Minister may begin.

Dr. D. S. Raja: Almost all the hon. Members who participated in the discussion of this Bill have given their wholehearted support except perhaps one or two members who have given their consent rather unwillingly.

The Bill, in a sense, has got two Clauses. There are two possible contingencies in which armed personnel might be inducted into the Railway administration: one is for assistance only and the other is that some portions of the Railway lines might be taken over by the Army authorities. These are the two contingencies. When the Armed Forces personnel are inducted into the Railways, actually they do not come under the definition of 'Railway Servants'. So some difficulties arose: they could not give instructions or issue orders or handle

[Dr. D. S. Raju]

property. So it has been found necessary to allow to them the same privileges, status, duties and also liabilities which are conferred on Railway servants. That is why Clause 3 has been put in here; otherwise, it has been found difficult for these people to operate and help the Railway administration. Clause 4 comes into operation when a portion of the Railway lines has been completely taken over by the Army authorities, in which case the Armed Forces personnel so inducted would not come under the Railway Act but would come under the Army Act. These are the two essential things.

Some hon. Members have raised the question as to what would happen to the railway employees who are already serving in a certain area when the railway line is taken over by the armed forces. I would submit that the question of the removal of those railway employees does not *ipso facto* arise at all. They are railway employees, and they will continue to be railway employees, but perhaps a few transfers or such other arrangements will have to be made by mutual consent with the railway authorities; that is probably what is going to happen.

Shri Priya Gupta: To the extent that the military personnel take over the strength of the railway servants will be reduced.

Dr. D. S. Raju: That is what I am saying; so, they may have to be transferred here and there; after all, our whole country is there; a vast area is there to be catered to by the railways. So, if it becomes necessary, they will be transferred here and there, but only if it becomes necessary to do so.

Shri Priya Gupta: Where are the posts for them?

Dr. D. S. Raju: There are other portions of the country and there are

other railways which are still there and where they can serve....

Shri Priya Gupta: Already there is a declaration about their being surplus according to Austerity move.

Dr. D. S. Raju: But I would like to bring to the notice of hon. Members one fact, namely that quite a number of railway units which are called territorial army units actually consist of railway employees already. So, it is the duty of the Army authorities to employ the railway units first, that is, the territorial army units consisting of the railway employees, and then only if it becomes necessary so to do, they can be reinforced by other Army units.

Shri Priya Gupta: But I, would like to have one clarification....

Mr. Deputy-Speaker: Order, order. There cannot be a running commentary on the speech.

Shri Priya Gupta: It is a very important point. So, kindly permit me to seek a clarification.

Mr. Deputy-Speaker: He cannot go on making a running commentary.

Shri Priya Gupta: It is not a running commentary. I only want to seek one clarification.

Shri Harish Chandra Mathur (Jalore): The hon. Minister can say that there would not be any retrenchment and dispose of this point in one sentence.

Shri Priya Gupta: When the Army units take over, will the Army men and the railwaymen remain there together.....

Dr. D. S. Raju: That is what I have said. It is only for helping....

Shri Warrior (Trichur): The point is that it must be guaranteed that there will not be any retrenchment on the plea that these people are surplus owing to the fact that the

railway line has been taken over by the Army units.

Dr. D. S. Raju: They are permanent servants of the Railway Ministry or the Railway Administration. So, how can there be any retrenchment? There will not be any retrenchment.

Shri Warrior: Perhaps the hon. Minister does not know that there are ever so many temporary posts and casual posts apart from the permanent posts. So, the fear is that these badlis will be retrenched.

Dr. D. S. Raju: These provisions are only for emergency purposes.

Shri Warrior: We are in an emergency now.

Shri Priya Gupta: Does it mean that military personnel will also be posted there and the railwaymen who are working there will also work there in the areas where the control is assumed by the Army units?

Dr. D. S. Raju: Anyway I think there will be no retrenchment on account of it.

Shri Priya Gupta: Thank you.

Dr. D. S. Raju: Hon. Members have paid very handsome tributes to the railway servants and to the Railway Administration for their performance during these operations. I wholeheartedly associate myself with the tributes which have been paid. They have done excellent work. The fact that this Bill has been brought forward should not be construed to mean that there was any deficiency or ineffectiveness on the part of the Railway Administration. That is not so at all. The last experience has given us the lessons. Some territorial army units were inducted into some of the forward areas, and they have done excellent and very good work. But, in future, we must be ready for any contingency and any eventuality. Bigger battles might be fought; bigger battles on a vaster scale might be fought where there

might be greater employment of Armed Forces.

Shri Hari Vishnu Kamath: Bigger battles? Does my hon. friend apprehend bigger battles next year?

Dr. D. S. Raju: We are not afraid of them, but we must be prepared for all these eventualities. Perhaps, hon. Members do not know that in some of the major battles whole cities will be completely destroyed, and a number of railway stations and wagons etc. will be destroyed and can be destroyed....

Shri Hari Vishnu Kamath: God forbid. Let my hon. friend not say 'will be', but 'may be'.

Dr. D. S. Raju: In a major battle these things are likely to occur.

Shri Hari Vishnu Kamath: He should say 'likely to be destroyed' or 'may be destroyed'.

Dr. D. S. Raju: Hon. Members perhaps do not have the experience of major battles. I have some experience of these battles. Civil life will be completely paralysed. Under such circumstances it is very difficult for the Railway Administration to function, whereas the Army units which are well disciplined and well equipped will be much more fitted to take over the functions at that time. That is the reason why during this emergency this Bill has been brought forward.

श्री हुकन चन्द कच्छदाय : उपाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है कि सदन में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The hon. Deputy Minister may resume his seat for a while. The quorum has been challenged.

The quorum bell is being rung. . . Now, there is quorum. The hon. Deputy Minister may now resume his speech.

Dr. D. S. Raju: Shri Raghunath Singh, Chairman of the Shipping Board has raised the point that similar legislation should be brought forward with regard to commercial shipping. Actually, under the DIR, commercial shipping can be taken over and requisitioned by the Navy. This has been done in the recent war also. Two of the ships had been requisitioned; one has been derequisitioned, while the other is still with the Navy. So, that does not require any extra legislation at all.

One hon. Member had raised a similar point with regard to road transport. Under the DIR, road transport also can be taken over during an emergency. So, there is no necessity to bring forward any additional legislation for that purpose.

Shri Indrajit Gupta suggested that there was no necessity for this Bill. I am afraid that he has not paid sufficient attention to this Bill. Probably this did not come in the list of his priorities, and therefore, he has not paid enough attention to this Bill. So, he has said that this Bill is not necessary at all, and there is nothing much, either good or bad, in this Bill; so, he did not either oppose it or wholeheartedly support it. All the same, this is a very important Bill.....

Shri Hari Vishnu Kamath: He was neutral.

Dr. D. S. Raju: When the territorial army units of the railways are embodied, they are no longer railway servants, but they become Army units. That is a very important point to remember. They automatically become Army units at that time, and so clause 3 of this Bill would apply to them. After all, when an emergency arises, first of all, it is the territorial army units which will be employed first, which are already with the Railway Administration, and then only the other army units which are trained for this purpose will be inducted into this.

Shri Indrajit Gupta had also raised the point that there was already provision in this regard in section 71-C (4) of the Indian Railways Act, and, therefore, there was no necessity for the application or exemption of the provisions of Chapter VI-A. Actually, section 71-C (4) relates to the question of hours of work, hours of rest, overtime, periodical rest etc. The present provisions, that is, the provisions in this Bill will apply only in emergency, such as when bridges are broken or other unforeseen circumstances occur, when accidents can happen and so on. But actually, even there, they are entitled to overtime allowances and some other concessions. But under the Army Act they are not entitled for such overtime allowances. So, this is also necessary.

Shri Priya Gupta: Army personnel may not get it. But the railway people who are working there should get these things as conferred on them under the Act.

Dr. D. S. Raju: The railway servants are railway servants, and they are entitled to all the benefits under the Railway Act.

Shri Priya Gupta: I am not referring to the military personnel, but to the personnel of the railways who may be working there. They should be allowed to enjoy the benefits of overtime allowances and all those other rights.

Dr. D. S. Raju: If they come under the Army Act, they are not entitled to all those things. But so long as they are railway servants, they are entitled to these benefits, and that is very clear.

Shri Priya Gupta: The Army Act will apply to the military officials and the Railway Act to the railwaymen working in the area. That is what you mean.

Dr. D. S. Raju: Yes, that is right.

I have tried to answer the points raised by hon. Members. I move.

Mr. Deputy-Speaker: The question is:

"That the Bill to make certain provisions relating to the employment of members of the Armed Forces of the Union in the working and management of railways be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That Clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clause 2 and 3 were added to the Bill.

Clause 4 was added to the Bill.

Shri Hari Vishnu Kamath: When Members stand up, please look up before you put the Clause. They may be allowed to speak on the Clause. He stood up to speak on the Clause.

Shri Priya Gupta: I wanted to say something.

Shri Hari Vishnu Kamath: You did not lift your eyes at all.

Mr. Deputy-Speaker: There was no amendment.

Shri Hari Vishnu Kamath: That is no reason.

Amendment made:

Page 2,—

after line 29, add—

Repeal "5(1) The Railways and saving. (Employment of Members of the Armed Forces) Ordinance, 1965 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this

Act had commenced on the 29th day of September 1965." (2).

(Dr. D. S. Raju).

Mr. Deputy-Speaker: The question is:

"That new clause 5 stand part of the Bill".

The motion was adopted.

New Clause 5 was added to the Bill.

Clause 1.—(Short title, extent and commencement.)

Amendment made:

Page 1,—

omit lines 6 and 7. (1).

(Dr. D. S. Raju).

Mr. Deputy-Speaker: The question is:

"That Clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Enacting Formula and the Title were added to the Bill.

Dr. D. S. Raju: I beg to move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill, as amended, be passed."

Shri Priya Gupta: From what the Minister has stated, I understand that though the military will be administering the railways for certain purposes, the technical or working side of it will be left to the railways, that the safety rules, protection of service conditions, the privileges conferred on railwaymen etc. will remain. I hope the assurance given on the floor of the House by the hon. Minister will be communicated to the Railway

[Shri Priya Gupta.]

Ministry for its proper implementa-
tion.

There is a very important question, whether the public will be allowed to travel in the sections administered by the military and whether they will be allowed to book merchandise for consumption in the country because there are some parts which do not produce goods and have to get them from other parts.

Thirdly, I would again repeat the demand for war front allowance, to be given to the railwaymen working in those areas and subsidised grain shops which is a pre-requisite for the railwaymen to run their families because grains are not available even at Rs. 2.75 per Kg. This should be ensured to them as was done earlier.

I request the Minister to communicate this to the Ministry of Railways and the Ministry of Food to arrange for these things.

Dr. D. S. Raju: This is a national emergency and I think the defence of the country has got to receive prior attention. Consistent with that, all the proposals which are made will, of course, be given due consideration. These things will be conveyed to the Ministry of Railways and if any rules are to be framed, they will do so. All these things will be given sympathetic consideration.

Shri Priya Gupta: We are grateful to the Minister for his assurance that the service conditions will be kept.

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

13.46 hrs.

INDUSTRIAL DISPUTES (AMEND- MENT) BILL

The Deputy Minister in the Ministry of Labour and Employment (Shri E. K. Malviya): I beg to move:

"That the Bill further to amend the Industrial Disputes Act, 1947, as passed by Rajya Sabha, be taken into consideration."

This is a simple Bill to amend the Industrial Disputes Act of 1947. The proposals for amendment of the Act were considered by the Twenty-first session of the Standing Labour Committee, a national tripartite body, which met in New Delhi on 27th December, 1963. The Committee recommended certain proposals for amendment of the Industrial Disputes Act. The Bill now presented before the House seeks to give effect to the recommendations of the Standing Labour Committee and a few other proposals.

श्री हुकम चन्द कछवाय (देवास) :
उपाध्यक्ष महोदय, मंत्री महोदय बिल पेश कर रहे हैं, लेकिन सदन में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The bell is being rung... Now there is quorum.

Shri E. K. Malviya: Under section 2(a) of the Industrial Disputes Act, industrial disputes in respect of Indian Airlines Corporation and Air India Corporation, which have been established under the Air Corporations Act 1953, fall in the State sphere. The functions of the two Corporations are to provide safe, efficient, adequate, economical and properly co-ordinated air transport services, whether internal or international, and to develop these services to the best advantage. In order to simplify the existing procedure for handling disputes in respect of these Corporations, it is considered necessary to bring them within the jurisdiction of the Central

sphere as in the case of some corporations of all-India importance e.g., the Agriculture Refinance Corporation and the Deposit Insurance Corporation. This will obviate the necessity of handling labour relations in the various branches of the Air Corporations by different State Governments individually and the need for prior consultation with the State Governments for referring such disputes to a national tribunal. Such an arrangement will also have the advantage of ensuring expeditious, co-ordinated and uniform action by the Central Government in handling disputes. The State Governments were consulted in the matter and almost all of them agreed to the proposal.

Sections 2(p) and 12(3) of the Act stipulate, among others, that a copy of the settlement agreement or the memorandum of settlement should be forwarded to the appropriate government. It is proposed that instead of sending a copy to the appropriate government and also to other officers subordinate to it, the copy need be sent only to the officer authorised in this behalf.

In construing the scope of 'industrial dispute', courts have taken the view that a dispute between an employer and an individual workman cannot be an industrial dispute but it may become one if it is taken up by a union or a number of workmen making a common cause with the aggrieved individual workman. Cases of individual dismissals and discharges cannot, therefore, be taken up for conciliation or arbitration, or referred to adjudication, under the Industrial Disputes Act, unless they are sponsored by a union or a substantial number of workmen. There has been a demand that the machinery under that Act should be made available in such cases. The standing labour committee, in its 21st session, also recommended an amendment to the Act so as to make the machinery under it available in such cases. It is proposed to make such a provision in the Act.

Section 25C of the Act provides that a worker who has completed not less than one year of continuous service, on being laid off, is entitled to receive compensation upto a maximum period of 45 days during the course of any twelve months. Where, however, the period of lay-off after the expiry of the first 45 days comprises continuous periods of one week or more, the workman is to be paid compensation for all the days comprised in every such subsequent period of lay-off unless there is an agreement to the contrary between the workman and the employer. This provision is open to abuse inasmuch as a workman can be denied lay-off compensation by being made to work for some days in each week after the first 45 days' lay-off. It is now proposed to amend section 25C of the Act so as to provide for the payment of lay-off compensation for all the days of lay-off after the first 45 days whether the period is continuous for a week or not. The standing labour committee has also agreed to the proposal.

Section 29 of the Act provides for imposition of a penalty for breach of a settlement or an award, which may be imprisonment for a term which may extend to six months, or fine, or both. This section does not, however, provide for enhanced penalty in the event of continued breach of settlement or awards. As a result, some unscrupulous employers are able to successfully thwart the implementation of settlements or awards, even after conviction, by paying a fine once, which may be far less than what the obligation would otherwise entail. Consequently, the workmen are unable to get the benefits of the settlement of award although the employer might have been convicted for the breach. Thus, the absence of provisions of deterrent penalties for continued breach of settlements and awards is acting as an impediment in the way of implementation of settlements and awards. It is, therefore, proposed to provide for the imposition of suitable punishment in case of a continuing breach of a settlement or

[Shri R. K. Malviya.]

an award after conviction for the first breach. This has also been recommended by the 21st session of the standing labour committee. With these remarks, Sir, I commend the Bill for consideration of the House.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Industrial Disputes Act, 1947, as passed by Rajya Sabha, be taken into consideration."

The time allotted for this Bill is three hours.

Shri Indrajit Gupta: (Calcutta South West): This is rather a mixed Bill.

Shri Hari Vishnu Kamath (Hoshangabad): Mixed grill?

Shri Indrajit Gupta: It is a mixed grill of course. It contains both good and bad in it rather more bad than good, I am afraid. One reason for this is that the Labour Ministry has always followed a policy of making a sort of ad hoc and piecemeal amendments to the Industrial Disputes Act instead of any comprehensive amendment in the light of the discussions which take place from time to time in the tripartite conference and tripartite standing committees. Therefore, from time to time they come forward with minor amendments relating to a certain particular section or part of the section which leaves many other problems undecided and creates sometimes new complications and problems. What is there good in this which could be supported straightway? First of all, there is an amendment to section 2, which I certainly welcome, which has extended the coverage of this Act to the employees of the Indian Airlines and the Air India Corporation. But here again they have gone one inch forward and then stopped. I would like to ask them, if the object of this Act is to bring about harmony and

industrial peace in as wide an area as possible, why are they not a little more bold in the coverage that is proposed under this Bill? For example there are so many types of employees who are excluded from coverage under this Act on the technical ground that they are not workmen. I can give one or two examples. There are the employees of hospitals. Here is a case where it is particularly necessary to take steps to see that any genuine grievances that might be there are speedily remedied and that no kind of dislocation takes place. Nobody wants dislocation in a hospital; nobody can say that because it is a hospital therefore the employees there may not have any genuine grievances. Certainly they may have and certainly if some machinery is available to them for peaceful settlement of those disputes, it is very much to the interests of everybody, including the public. But strangely enough, this particular category of employees are excluded from the application of this Act on the ground that they do not come within the existing definition of workmen under this Act. Therefore, what are we left with? Hospital employees in the country have a genuine grievance, but they could not find a remedy under the procedure of conciliation, arbitration or adjudication under this Act. Therefore, with all the goodwill in the world, you cannot prevent every now and then some dislocation or some strike or some stoppage of work taking place in hospitals. That is most undesirable. But there is no remedy left open to them. Here when they decide that section 2 should be amended, why do they put in only the Air India and the Indian Airlines Corporations, I cannot understand. They know very well; they know the history of these disputes in the hospitals. In the educational institutions, there are those employees of the universities, teachers and so on, and other employees also. The same position exists there. They may have some genuine demands and grievances; why should the machinery of this Act not be available

to them also, so that there can be a speedy and expeditious and peaceful settlement of these disputes, instead of driving them to a point where they may resort to some sort of direct action. So, while I welcome this amendment, as far as it goes, to section 2, it is really very shortsighted and very incomplete. I hope the Minister will come forward in the not too distant future with a more comprehensive amendment to section 2 which will also involve, of course, changing or modifying the definition of workman under this Act so that these other sections could also be brought within its ambit.

14 hrs.

Then there is the insertion of a new section—section 2A—which I also welcome and support as far as it goes. As a matter of fact, if my memory does not fail me, several years ago this position did exist, which has been restored now by the insertion of this section, namely, that an individual workman, even if he is not represented by a trade union or even if his case is not taken up by a number of other workmen acting collectively, he was in a position to agitate his individual case before a machinery of conciliation and adjudication. But subsequently, at a certain stage—I have forgotten the exact date—that position was removed from the legislation. It has now been partially restored. I welcome it, because this is really a recognition of the fact that in our country, a very, very large number of workmen are still unorganised. They do not belong to any union. This may be a sad commentary on the state of the trade union movement, but there is no point in not facing the realities; and despite all the claims of membership that are made by the various trade union organisations, I am sorry to say that perhaps almost 50 per cent of all the workers in this country are probably unorganised even today. Even in an organisation like the All-India Railwaymen's Federation, the membership which it claims officially,—I think Shri Priya

Gupta will correct me if I am wrong—even its claimed membership, is not even half of the total number of railway workers. So, it was only natural that a workman who is wrongfully discharged or feels he is wrongfully discharged or dismissed or retrenched or his services have been terminated, when he has no union to go to or there is no union which represents him, or he does not feel like being represented by any union, should nevertheless not be deprived of the natural justice which is provided to him now by this amendment and which enables him to take his case up to a conciliator or to an adjudicator. So, I welcome this certainly, but here too, I must say that that same mentality of going so far and no further has also dominated this new section 2A.

When it is conceded here that the individual workman should be given this facility and right, why is it again curbed and circumscribed and is only restricted to cases of discharge, dismissal, retrenchment and termination of services? It is good as far as it goes, but what about a case where the employer wrongfully suspends somebody or, let us say, demotes him, or in some other way, adversely affects his conditions of service even short of dismissal or retrenchment? As we know in this country, the state of industrial relations is such even now that a huge number of instances of deliberate victimisation of workers takes place all the time. There are a large body of employers in this country who have not reconciled themselves yet to the very existence of the trade union movement and whose one concern for 24 hours of the day is how to break a union, how to disrupt a union, how to intimidate the leading workers of a union, how to create division inside the union, and for that purpose, all manner of harassment and victimisation also goes on, which may come in the form of suspension; sometimes indefinite suspension and sometimes the people are demoted. Sometimes, various other forms of harassment of this type take place. Sometimes, they are

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transferred arbitrarily from one place to another, so that the office bearer of a union can no longer function normally. This goes on in the railways the whole time; they are transferred from one place to another place 500 miles away.

So, the point is that, here, I feel that this section should be enlarged to cover not only discharge, dismissal, retrenchment and termination of services, but also the cases of victimisation, those cases of alleged victimisation which can be established as unfair labour practice as motivated solely by the desire to penalise a worker or intimidate a worker. Such cases should also be covered by this section, because we must remember one thing, namely, when an individual worker feels he has been wronged, and wants to take advantage of this machinery—of course in the eyes of the law he is put on the same footing now as a worker who comes through a union—in actual practice, we find and we will find, I am quite sure, the machinery being what it is, that the cases of these individual workman are likely to be neglected. They will remain there, lying there for months and weeks together and nobody bothers about them; whereas, if a union or some other body of workmen represents that worker's case, they are likely to be able to get a much better hearing. The individual workman's case is liable to go by default, and in respect of these conciliation officers, labour officers and so on with whom we generally have to deal in all our States, already we find that cases are lying there in the files for weeks and months together. But where it becomes a question of choosing between the case of an individual worker and a case brought by a union, there is every danger and likelihood of those individual cases lying buried under the files for a long time to come. Therefore, the Ministry should also consider the question of strengthening the machinery of conciliation and adjudication. The conciliation officers themselves tell us sometimes; in some cases they complain that they are

hopelessly under-staffed; they say they cannot cope with the huge number of cases that come up to them; the State Labour Departments also complain about it; in some cases I think these complaints are justified and in some cases they may not be, but this machinery must be strengthened by the appointment of more conciliation officers, industrial courts, tribunals and so on and enough resources should be put at the disposal of these bodies to deal with the cases. Although some benefit is being conferred here, through this section, on individual workers, in actual practice, the workers may find that these cases are not taken up for months and years together.

Then, in regard to the amendment to section 29 of the Act, my support to it can only be a mixed one, because something is given with one hand and then taken away with the other. What is given with the first hand, I support. It is nothing revolutionary; it simply says that if an employer continues to commit breach of the provisions of the Act, then for each continuing breach, he will be fined Rs. 200 for every day during which the breach continues. It is very good; up to now the penalty which was there in the Act was absolutely ridiculous and no employer ever bothered about it. So, this penalty, for a continuing breach, of Rs. 200 as fine for every day is certainly a good thing and it would act as some form of a deterrent, but what is given by one hand is taken away with the other in the concluding clause of the Bill which says, "Rs. 200 for every day during which the breach continues after the conviction for the first." That means for the original sin of committing the first breach, he must have been prosecuted and convicted, and only after he has been convicted, thereafter, for any subsequent breach, he will be fined Rs. 200 per day. That means, the pre-condition of this continuing penalty is that he should at least for the first breach have been prosecuted and convicted. Who can prosecute and convict the employer? The prosecution can only be launched,

under this Act for any breach, by the Government itself. The workmen who are the sufferers cannot *suo moto* of their own accord start any kind of case against their employer. Only the government on its own initiative can prosecute. But our experience shows that such prosecutions are few and far between. The labour departments are most reluctant ever to launch prosecutions. Therefore this phrase "after the conviction for the first" would nullify to a great extent the benefit which is sought to be given here.

I am opposed to the provision seeking to substitute a new section for section 25 'C' "Right of workmen laid off for compensation." I know incentives are supposed to be given to workers for production and so on. But here a direct incentive is being given to the employer to use any kind of dubious method in order to compel a worker by hook or crook to enter into an agreement with the employer to the effect that, "if I am laid off by you, you have to pay me compensation only for 45 days; from the 46th day onwards, you need not pay me any compensation, even if you keep me laid off for another six months". This is the meaning of the second para which says, "if there is an agreement to that effect between the workman and the employer, no such compensation shall be payable after the expiry of the first 45 days. In our country in so many industries, we find—the minister who is connected with the mining industry also knows—that there are numerous sections of backward workers who are illiterate. Even now when they receive their monthly wages, they cannot sign their names on the receipts, they merely put their thumb impressions. This is happening in the plantations, jute mills and mining areas. It is very easy for the employer by subterfuge and deceit to force a workman to sign some statement which will amount to his saying, "if I am laid off, beyond 45 days, you need not pay me compensation after the 45th day". This is the incentive

offered to the employer here.

In our country unemployment is on a prolific scale and there is no worse fate in society for a man with a family than to be unemployed. It is better to commit suicide. Suppose an unemployed man is offered a job in a factory. The employer says, "I will give you the job as a temporary or *badli* worker; but first you must sign this agreement. Otherwise, you would not get the job." Willy-nilly he will sign it to get some means of livelihood for a few days. And he will sign away his right of compensation for lay-off beyond 45 days. This is a very dangerous clause which should be deleted.

In the same section, there is this provision that "any compensation paid to the workman for having been laid off during the preceding twelve months may be set off against the compensation payable for retrenchment." That is to say, if I have been laid off for a period of 45 days and after that the employer says he is going to retrench me, the statutory compensation which is payable to me will be made minus the amount that has been paid to me already as lay-off compensation. This is in my opinion a most iniquitous provision. Retrenchment compensation is paid for the purpose of that man being able to rehabilitate himself after he is retrenched. He may start a *pan* or *biri* shop to keep himself alive; whereas compensation for lay-off—50 per cent of the total wages—is paid to him for the actual days that he has been refused employment by the employer. Wherever he may be living, he has to go to the closed factory every day and sign his attendance there. Otherwise, he is not paid lay-off compensation. Now it is said here that after I am retrenched altogether, the money that I got during the lay-off period will also be deducted from my retrenchment compensation. This is a niggardly, miserly outlook and this provision should also be deleted.

A word about the *badli* worker. The Bill says, any *badli* worker who has

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completed one year's employment, will be entitled to lay-off compensation. My experience of 25 years in the jute industry is, no *badli* worker will ever complete one year. It is defined in another place that any *badli* worker who has put in 240 days work in a calendar year is considered to have put in one year's work. I have appeared before many jute industrial tribunals and I was a member of the wage board. I have found that hardly 5 to 10 per cent of the registered *badliwalas* are ever permitted by the management to complete 240 days' work in a calendar year and they are never allowed to become permanent in that sense of the term. So, this clause will defeat its own purpose. What should be there is that any registered *badli* worker whose name is maintained on the rolls of the company for a full year should be paid compensation if he is at any time laid off. It should be enough if his name has been carried in the rolls for one year, even though he might have worked only intermittently. In that case, he must be eligible to get this compensation.

Sir, this is a small Bill, but I am afraid it has got so many points in it which are complicated. I would request the ministry to give a little thought to this matter and not keep resorting to this sort of piecemeal amendments every now and then. If a fresh problem is created after two months, they will again bring in a little bit of amendment, not one inch further. Therefore, there is very limited benefit registered in this Bill to the workmen and I would request the minister to accept at least the amendments which we have tabled.

श्री हुकम चन्द कश्यप : उपाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। हाउस में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The bell is being rung—now there is quorum. Shri Vidyalkar.

Shri A. N. Vidyalkar (Hoshiarpur): Sir, I wholeheartedly welcome this Bill, which was long overdue and on which all the trade union workers and employees in general had been insisting. I think the minister has tried to meet most of the points that the workers had been raising. Although the industrial dispute machinery had really come to the assistance of the workers, it has also created undesirable spirit of litigation. I deeply feel that our policy with regard to determination and settlement of disputes should be well defined and dynamic one and the government should act with determination.

At present, we have just set up the machinery for adjudication. Mostly cases go for adjudication. Conciliation is of course attempted, but conciliation in important cases and in bigger organisations is mostly unsuccessful and cases have to be referred for adjudication. A long time is taken in decisions and the workers and employers have to wait for months with the result that the atmosphere in the industry is never peaceful. Therefore, I think, the Government should think in a determined way and should formulate a definite policy as to how to deal with most of the disputes and had to get their number reduced.

So far as this machinery is concerned, no big effort is made to make it efficient. All the cases must be decided expeditiously, and whatever decisions were taken they should be implemented thoroughly and promptly. We know of a number of cases where the disputes had been settled by courts and tribunals but decisions take pretty long to be implemented. I am glad that the Minister has brought in a provision here providing for deterring penalties where the awards were not implemented, where the settlements were not properly executed in all such cases penal clauses have been introduced and the employer concerned will be punished. For continuing the

breach of the provision of the Awards a continuing penalty has been provided for.

श्री हुकूम खन्द कछवाय : उपाध्यक्ष महोदय, हाउस में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The hon. Member may resume his seat. Quorum has again been challenged. The Bell is being rung.

Now there is quorum. The hon. Member, Shri Vidyalankar, may continue his speech.

Shri A. N. Vidyalankar: Sir, I was referring to the methods of dealing with cases of dispute and I was saying that the Government should have a determined and dynamic policy for settlement of disputes.

We have been talking and listening about the joint machinery for settlement of disputes. Just now my hon. friend, Shri Indrajit Gupta, was referring to certain class of employees, the employees in the hospitals, in the educational institutions, in government service and other services. I quite agree that there also it is quite natural that the disputes would occur and there also some suitable machinery to settle those disputes was necessary. Why is it that the joint machinery about which, we have been listening and discussing for so long, has not been set up in all these institutions? That means the whole scheme of introducing the joint machinery for settlement of disputes is not yet complete. I think the Government should expedite this matter because quite a large number of workers are working in these institutions. These institutions are important. That is why they have been excluded from the Industrial Disputes Act. Because they are important, because their services are important—for instance, the hospitals and educational institutions—we should see that no disputes were allowed to drag on and just kept pending decision. We have not set up any machinery, we have not provided for any

other method, for settling those disputes. Therefore, it is very necessary that the Government should complete the scheme of joint machinery and some machinery should be set up so that the disputes in these institutions might also be settled. I quite agree that the Industrial Disputes Act, as it stands at present cannot be applied to the hospitals or educational institutions or to the teachers and others. That is why I say that the joint machinery or some other efficient machinery should be provided for.

At present more than 50 per cent of the workers are not members of any trade unions. My friend, Shri Gupta was also referring to that. What is the reason? I had occasion to ask the workers themselves, I had discussions with them, and the reason given by most of them was that because most of the trade union organisations dabbled in politics they did not come in these trade unions. I think, it is for us, the trade unionists, to find out ways and means to create an atmosphere so that most of the workers would be able to join the trade union organisations. That is how the trade union movement can be properly strengthened.

I welcome the provision so far as individual workers are concerned. In cases of dismissal, retrenchment or discharge, the hon. Minister has kindly provided for reference of their disputes. In the cases of suspension, in cases of demotion etc., some method should be provided for. The spirit behind should be, in all matters where collective needs and collective decisions were necessary, such questions could not be taken up on individual level. An individual cannot place any demands that concerned the whole class of workers. If he was not a member of any trade union or no trade union had not taken up his case, then he could raise any dispute only in such matters where his individual person is concerned. I quite agree with that. But there are other matters apart from discharge, dismissal or retrenchment in which an indi-

[Shri A. N. Vidyalankar]

vidual is deeply concerned. For instance, the increment of a person might have been stopped or the promotion due to an individual worker might have been refused. These are personal matters strictly. But these are also very important matters where a person's well being was involved. Therefore, in such cases also an individual should be allowed to raise a dispute and secure satisfaction. I think the provision in the Bill should be so drafted that in regard to all such matters where the conditions of service of an individual were altered in any manner or when he was deprived of personal benefit earlier due to him, he should be allowed to raise a dispute and he should be allowed to get some kind of satisfaction and some kind of relief.

Then, so far as the penalty clause is concerned, I quite welcome this clause. I agree with this provision. But here also, these words "after the conviction for the first" should be omitted; because, in a case where the award is not properly implemented, from the very day when the award was given, the worker was entitled for relief. Rather, I would wish that because he had not been paid—something was to be given to him and he had not been denied the same—some part at least out of two hundred rupees, should be given to the worker, to compensate him for his suffering. He has suffered, in many ways because he has been purchasing provisions from his shop-keeper on loan or otherwise; he had to pay often a higher price for that. Therefore he is entitled to some kind of compensation. So, out of this two hundred rupees, he should be paid some portion of it. It should also be provided that from the day the award was given, from the day when he was entitled to get relief, he should be entitled to get relief from that very date. Some such provision is very necessary.

And lastly, a word about the proposed new section 25C and the proviso containing the words "if there

is an agreement to that effect". As regards this question of agreement, my hon. friend Shri Indrajit Gupta has also referred to it, and those who are working in the trade unions know how agreements are secured and how the employers get things in writing. They just get their signatures on blank paper and keep the same on record. Whenever required, they wrote something on the blank paper and presented the worker with a fait accompli saying "you had signed the agreement". The worker required some kind of protection against that kind of thing. Therefore, in regard to these so called agreements, some one, a labour officer or somebody, who should see whether this kind of agreement was genuine or permissible or not, whether it was in the interests of both parties or not. There should be some security against these bogus agreements. Such agreements are forced from the workers because of their weak position. This clause should be improved.

I welcome the Bill and thank the hon. Minister for bringing forward this Bill which, as I have stated, was long overdue.

Shri Ranga (Chittoor): Mr. Deputy-Speaker, I am generally in agreement with this Bill, and I am glad my hon. friend Shri Vidyalankar has made a very constructive suggestion to improve upon the position that has been taken up by Shri Indrajit Gupta, that whenever employers obtain these agreements in writing from these employees saying that they are satisfied with whatever the employer has offered to give to them after they are laid off for forty-five days and therefore their other claims need not be considered thereafter, it is best to ensure the presence of a labour welfare officer or some responsible officer in order to guard against the possibility of these poor workers, especially unorganised workers, from being deceived or misled by some of the bad or unscrupulous employers.

4. I am very glad that this Bill at long last recognises the need for protection of all those workers who are unorganised till now. Shri Indrajit Gupta and his party who have been taking much interest in labour organisation are frank enough to admit that nearly fifty per cent of the industrial workers are yet unorganised into trade unions. These people need protection. Government have realised it at long last and have brought forward this Bill. There I welcome this Bill which seeks to protect these people.

Secondly, I am anxious to see that retrenchment ought not to be confused with being laid off. And therefore, whatever compensation a worker is entitled to get whenever he is retrenched either in continuation of being laid off or without it should not in any way be interfered with and be reduced by whatever a worker is entitled to be paid for being laid off against those days.

श्री हुकूम चन्द कच्छवाय : उपाध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। हमारे इतने बड़े नेता बोल रहे हैं और हाउस में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The quorum bell is being rung—Now there is quorum.

This is the eleventh time that quorum has been raised. Hon. Members will please consider what the country will think of us. The quorum should be maintained.

Prof. Ranga may now continue.

Shri Ranga: It is not necessary to think of giving any kind of incentives to the employers. They have enough of incentives, and if Government really is keen on giving some incentive to the employers the best way to do it is by reducing the tax burdens on them, instead of trying to give these incentives to them at the cost of the workers.

I am particularly happy that any dispute that a worker may come to

have with his employer in regard to all these items, namely, his dismissal or retrenchment or his services being terminated, would be treated as an industrial dispute. But then, this would become really ineffective until and unless the conciliation machinery, as has been suggested, is properly strengthened. As it is now, they do not have sufficient number of personnel in this conciliation machinery, so much so that individual complaints are likely to be ignored. So I would like to press upon the Government the need for strengthening this machinery if they really are keen on seeing to it that the benefit of this new provision is given to these individual unorganised workers. And I sincerely hope that Government will try and take sufficient steps in order to see that these individual workers, when they do not belong to any union at all and when they begin to make these complaints, are given as much attention and are shown as much sympathy as others who are being sponsored by the trade unions. If they do so, then it would be possible in this country really to effect labour welfare for all those large numbers of people who for some reason or the other are unwilling and unable to join any union. It is very well-known that there is too much competition between rival unions here in our country sponsored by political parties and quite a large number of workers would not like to belong to any political party and, at the same time, would like to look after themselves and would like to render their service to the nation by working in their respective factories. All these people need the consideration and sympathy of Government. So, I am glad this Bill has been brought forward by the Government and I sincerely hope that the Government as well as the employers will try and help these unorganised workers and see that they do not remain continually unorganised or unorganisable but are properly protected.

Dr. Meikote (Hyderabad): Mr. Deputy-Speaker, I welcome this Bill. I have nothing particular to add. Many

[Dr. Melkote.]

of my hon. friends have already spoken about this Bill and drawn attention of the Government to some of the drawbacks and what ought to be done to remedy them, particularly my hon. friend, Shri A. N. Vidyalkar. I support the Bill entirely.

श्री मधु लिमये (मंगर) : उपाध्यक्ष महोदय, यह जो संशोधन विधेयक हमारे सामने आया है इस में कुछ बातों का जिक्र है। लेकिन मेरी समझ में यह बात नहीं आती है कि यह जो औद्योगिक कलह कानून है उस में कई बार संशोधन हो गया है लेकिन कभी भी सरकार की ओर से एक व्यापक संशोधन विधेयक लाने का प्रयास नहीं हुआ है। उसका नतीजा यह होता है कि हर एक दो सप्ताह के बाद नये नये विधेयक आते हैं और हम को उन पर विचार करना पड़ता है।

पहली बात तो इस विधेयक के सम्बन्ध में मैं यह कहना चाहता हूँ कि इस वक्त मजदूरों के सामने जो तकलीफें हैं ये सारी तकलीफें इस संशोधन से दूर नहीं होंगी। इस वक्त सब से बड़ा मामला बेरोजगारी का है जिस के बारे में यहाँ कुछ कहा गया है। लेकिन जो यहाँ कहा गया है वह भ्रष्टा नहीं है। अभी मैं आपका ध्यान कुछ ऐसे मामलों की ओर दिलाना चाहता हूँ जिन के द्वारा 25 (सी) यह नई उप-धारा जोड़ने का प्रयास किया गया है और उस में यह कहा गया है कि अगर मजदूरों और मालिकों में कोई करार हो जाता है तो फिर ज्यादा देने की आवश्यकता नहीं है और उनकी छंटनी के बाद जो पैसा दिया जाएगा उस में से इनका यह पैसा काट ले सकते हैं। यह बहुत ही खतरनाक तजवीज इस में रखी गई है। मैं इसका मुस्तैदी के साथ विरोध करना चाहता हूँ।

इस वक्त बम्बई में और दूसरे केन्द्रों में जो घटनाएँ हो रही हैं सूती मिलों के मामले में उसकी ओर मैं आपका ध्यान दिलाना चाहता हूँ। बम्बई में इंडिया युनाइटेड की छः मिलें हैं। एक लाख से ज्यादा लोग उन पर निर्भर करते हैं। पहली तारीख को उस मिल के जो कारकुन है, उनको तनख्वाह मिलनी चाहिये थी कानून के अनुसार। लेकिन उनको इस बार तनख्वाह नहीं मिली है। परसों मुझ को बम्बई के मजदूरों ने टेलीफोन पर यह बताया है कि दस तारीख को उनको तनख्वाह मिलने वाली थी लेकिन नोटिस लग गया है कि अब की बार इंडिया युनाइटेड की मिलों के जो मजदूर हैं उनको तनख्वाह नहीं मिलेगी। इस महंगाई के दिनों में न कारकुनों का तनख्वाह मिलना है, न मजदूरों का तनख्वाह मिली है और यह सब क्यों हुआ है? इन मिलों में जो अव्यवस्था है उसकी वजह में यह सब हुआ है। सरकार ने एक जमाने में इन मिलों को अपने हाथ में ले लिया था और फिर भ्रष्टा इन्जाम करके और करीब-करीब एक करोड़ रुपये नकद नफा जब इन मिलों का हो गया तो फिर खानगी व्यक्तियों के हाथ में, मालिकों के हाथ में उसने इन मिलों को दे दिया। उसका नतीजा यह है कि फिर ये मिलें बन्द होने जा ही हैं और एक लाख लोगों का जीवन आज खतरे में पड़ गया है। इसलिए जब हम कानून में संशोधन करते हैं तो मैं कहूंगा कि एन.एस.ए. व्यापक आग औद्योगिक कानून तैयार करें जिस में इन तकलीफों के बारे में, इन समस्याओं के बारे में कोई ठोस तरीके पर मिल बन्द होने की समस्या का इलाज किया जा सके।

श्री चन्द्रमणिलाल चौधरी (महूषा)
कोई इलाज सर्वैस्ट कीजिये।

श्री मधु लिमये : इलाज यह है कि सरकार इनको ले ले। क्यों वह इनको मिल

मालिकों को दे देती है। घ्रापकी जो सरकार है वह पूंजीपतियों के प्रभाय में इतनी अधिक हो गई है कि सरकारी पैसा, सार्वजनिक पैसा तो लगा देती है मिलों के मुधार के लिए और जब मुधार हो जाता है और मिलों का काम ठीक हो जाता है तो फिर वह उन्ही मिलों को मिल मालिकों के हाथ में दे देती है। इस तरह से सार्वजनिक पैसे का और सरकारी पैसे का दुरुपयोग करती है, उसको बरबाद करती है। इसके बारे में मैं तफ्तील में जा कर बात नहीं करना चाहता हूँ।

मन से बड़ा मसला इस वक्त प्रौद्योगिक कानून को ले कर यह है कि हर कारखाने में, सरकारी महकमे में तरह तरह के मजदूर हैं। ठेकेदारी प्रथा आज भी चालू है जिस के खिलाफ सर्वोच्च अदालत ने फैसला दे दिया है। उसके बावजूद भी ठेकेदारी प्रथा चल रही है। ठेकेदारों के जो मजदूर होते हैं उनको जो फायदा मिलना चाहिये नहीं मिलता है। हजारों लाखों को तादाद में मजदूर बदली मजदूरों के तौर पर काम करते हैं। अस्थाई मजदूरों की भी एक श्रेणी है। एक मिसाल मैं देना चाहता हूँ। कई बार काम ऐसा होता है जिसको अस्थाई नहीं कहा जा सकता है लेकिन फिर भी उस काम को करने के लिए जिन को लगाया जाता है उनको 14-14 और 15-15 साल तक अस्थायी रखा जाता है। नगर पालिकाओं में ऐसे लोग हैं, सरकार के जो दूसरे महकमे हैं उन में ऐसे लोग हैं जोकि 14-15 साल से काम करने घा रहे हैं लेकिन आज भी उनका जो दर्जा है वह अस्थाई मजदूरों का है। कुछ लोगों को बदली मजदूर कहा जाता है। कुछ मजदूर ठेकेदारों के मजदूर हैं। क्या सरकार को उन मजदूरों के बारे में कोई ऐसा ठाम कानून नहीं लाना चाहिये कि जिसमें एक तो ठेकेदारी प्रथा को बिल्कुल खत्म कर दिया जाए और जो बदली मजदूर है या अस्थायी मजदूर हैं उनकी संख्या किसी भी हाल में दस प्रति-

शत से ~~कहीं~~ किसी भी महकमे में या कारखाने में न रखा जाए और सभी मजदूरों को एक साल की उनकी नौकरी होने के बाद स्थायी मजदूरों के तौर पर मान लिया जाए? हर हासत में किसी भी विभाग में, किसी भी कारखाने में, किसी भी यूनिट में दस प्रतिशत या पन्द्रह प्रतिशत से अधिक अस्थायी या बदली के या इस तरह की दूसरी श्रेणी के मजदूर नहीं होने चाहिये। अगर इस तरह का कोई संशोधन हो जाएगा तो मेरा खयाल है कि उससे मजदूरों को काफी फायदा होगा।

इस कानून में कंसिलियेशन के लिये इंतजाम है। कंसिलियेशन करने वाला जो अफसर है वह कितने समय में अपनी रपट पेश करे, इसके बारे में इसमें कुछ नहीं है। कहा गया है कि जैसे ब्यावहारिक हो वह अपनी रपट दे दे। कुछ मिसालें मैं घ्रापके सामने देना चाहता हूँ। मैं बम्बई नगरपालिका के मजदूरों की बात करता हूँ। कुछ साल पहले वहां पर एक झगड़ा चला। उस झगड़े को कंसिलिएशन के सामने सौंप दिया गया। वह असफल हुए। लेकिन असफलता की रपट एक साल हो गया, डेढ़ साल हो गया, कंसिलियेशन अफसर ने पेश नहीं की है। अंत में असफलता की रपट पेश नहीं हुई थी सरकार ने कहा कि किसी अदालत के सामने स झगड़े को हम नहीं सौंप सकते हैं। अगर कानून है और उसमें घ्राप परिवर्तन करना चाहते हैं तो इसका भी मैं घ्राप इंतजाम करें कि जिसके अनुसार कंसिलियेशन अफसर को एक विशिष्ट अवधि के अन्दर अपनी असफलता वाली जो रपट है वह पेश करनी पड़ेगी।

दूसरे कई मजदूरों के बारे में सुझाव दिये गये हैं। अस्पताल मजदूरों के बारे में तो एक खतरनाक सुझाव हम लोगों के सामने घ्रा रहा है। वहां काम करने वाले जो मजदूर हैं उनको प्रौद्योगिक कानून के अन्दर मजदूर नहीं माना जाएगा। कहा यह

[श्री मधुलिमये]

जाता है कि अस्पतालों में जब हड़ताल बगैरह होती है तो ग्राम नागरिकों को, जनता को बड़ी तकलीफ होती है। मैं भी मानता हूँ कि उनको तकलीफ होती है। लेकिन उसका क्या यह मतलब है कि अस्पतालों में काम करने वाले जो मजदूर हैं उनकी मांगों को पूरा करने के बारे में, उनको इंसाफ दिलाने के बारे में आप कोई कारवाई नहीं करेंगे? इसके बारे में हम लोगों ने, हिन्दू मजदूर पंचायत ने, सुझाव दिया था कि अस्पताल चलाने वाले जो व्यवस्थापक लोग हैं या सरकार है वे मजदूरों के जो संघ हैं, उनके साथ बैठ कर कोई ऐसा रास्ता निकालें जिससे एक ओर अस्पतालों में हड़ताल न हो और दूसरी ओर काम करने वाले जो मजदूर हैं उनकी मांगों के बारे में न्याय हो और बहुत जल्दी उनकी मांगें पूरी हों। इस तरह अगर आप.....

उपाध्यक्ष महोदय : धन्यवाद करते हैं।

श्री मधु लिमये : दो बार मुंबई के बारे में मुझे कुछ कहना है।

उपाध्यक्ष महोदय : दी मिनट और ले लें।

एक माननीय सदस्य : क्या डाक्टरों को भी इस में शामिल कर लिया जाये।

श्री मधु लिमये : मैं मजदूरों की बात कर रहा हूँ। अफसरों की बात नहीं कर रहा हूँ। औद्योगिक कानून के अनुसार जो मजदूर हैं उन की चर्चा कर रहा हूँ।

फिर इसमें एक और तरकीब है। जो मालिक औद्योगिक अदालतों के फैसलों के खिलाफ जाते हैं, उन फैसलों को तोड़ते हैं, उन के बारे में। उन को जो सजा या दंड दिया जाता है उसको बढ़ाने की बात है। लेकिन मैं भय यह करना चाहता हूँ कि उन के खिलाफ

मुकदमें चलाना या न चलाना सरकार के अधीन रहता है। मेरे सामने बहुत अधिक मिसालें ऐसी हैं कि सरकार मुकदमें नहीं चलाती है। इसलिये ऐसा मंशोधन आना चाहिये था जिसमें यह लाजिमी हो जाता सरकार के लिये कि वह खोज करती, चाहे मजदूर कहे या न कहे, उन का थम विभाग खुद खोज करता कि किन किन फैसलों पर धमक नहीं हुआ है। जिन अदालती फैसलों को मालिक तोड़ते हैं उन के बारे में मालिकों के खिलाफ मुकदमे चलाने का कार्य लाजिमी बना दिया जाये। उसमें सरकार को चुप नहीं रहना चाहिये और ऐसी सख्त सजा मालिकों को दे देनी चाहिए कि प्राइन्दा वह अदालतों के फैसलों को तोड़ने और मजदूरों का पैसा छीन लेने का प्रयास न करें।

इस तरह की कई बातें हैं। मैं इतना ही अर्थ करना चाहता हूँ कि औद्योगिक कानून में एक व्यापक संशोधन लाने की आवश्यकता है। हर साल जरूरत पड़ने पर हम लोग यहां संशोधन पास करते हैं यह अच्छा नहीं है। इसलिये सभी मजदूर संगठनों से सलाह मश्वर करके सरकार एक ही बार फैसला कर के ऐसा व्यापक औद्योगिक कानून लाये जिससे कि सारी समस्याएं ठीक हल हो जायें।

Dr. Sarojini Mahishi (Dharwar North): Mr. Deputy-Speaker, Sir, organised labour is assuming more and more importance in a developing country like ours. We have noticed what this organised labour can do. It can create a lot of havoc in the country when this organised labour responds and reacts to the sweet whims and fancies of certain political parties. Therefore, it is but natural that this organised labour and the unorganised labourers also should be given certain facilities; at the same time, they should be kept under discipline also.

This particular Industrial Disputes (Amendment) Bill, which tries to

give certain facilities to the industrial workers, tries to cover more and more workers coming under the different organisations.

श्री हुकम चन्द कटुवाल : मेरा व्यवस्था का संवाल है। बहुत से माननीय सदस्य बाहर घूम रहे हैं और सदन में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The bell is being rung... Now there is quorum. She might continue her speech.

Dr. Sarojini Mahishi: In spite of all the good intentions, this particular Industrial Disputes Act has not been able to cover 50 per cent of the aggregate number of industrial workers working in different industrial establishments and concerns. Besides that, I may also add that 75 per cent of the people in our country are engaged in agriculture, nearly 50 per cent of whom are landless labourers working in others' fields. The 1961 census has categorised agriculturists as agriculturists tilling their own lands, agriculturists working as tenants in others' lands and agriculturists who are landless labourers earning wages by working in others' fields. Agriculturists belonging to the third category, the category of landless labourers, are very great in number and when these particular facilities are given to plantation workers, workers in mines and such other things, why is this big section of workers working in the field of agriculture not being covered by some such Act and given certain facilities? Even the Minimum Wages Act is not made applicable to these people who are working in the field of agriculture. They are only seasonal labourers working in the fields belonging to others. Therefore, when the Minister thinks of expanding the scope of this particular Act, I hope, he will take into consideration this bigger section also of landless labourers who are working in others' fields.

This particular Amendment Bill to the Industrial Disputes Act tries to

cover more and more workers; for example, workers working in the Indian Airlines and such other organisations; but, as mentioned by my hon. friends, why is it that workers in educational institutions and in hospitals, which are considered to be essential services are not covered? Unless these people belong to an organisation of Class IV services, as individual workers, they cannot seek relief. But section 2A which is being added after section 2 in the original Act, provides for the individual worker to go to the court when he is retrenched, discharged, dismissed or when his services are terminated. He can go to the industrial court and seek redress of his grievance even though he is not a member of any particular trade union. This is, no doubt, an additional strong point in favour of the individual worker. Of course, how he is going to be influenced under such circumstances, as an individual worker, we have only to wait and see.

As far as new section 25C is concerned, it is supposed to be a very important substitute. It says:—

"Whenever a workman..... whose name is borne on the muster rolls of an industrial establishment and who has completed not less than one year of continuous service under an employer is laid off, whether continuously or intermittently".

Thus, making provision for his lay-off, either continuously or intermittently. Even if he is laid off, he is entitled to remuneration for a period of 45 days, amounting to 50 per cent of the total basic pay, dearness allowance and such other things. But there is a provision which says:

"....no such compensation shall be payable in respect of any period of the lay off after the expiry of the first forty-five days, if there is an agreement to that effect between the workman and the employer".

[Dr. Sarojini Mahishi]

Seemingly it is a clause in favour of the workman, but the workman, who is always in needy circumstances and who is always a weaker party, can be forced to enter into such an agreement and the employer, while taking him into his service, may make it a condition prerequisite for taking him into service that he should sign an agreement that he would not claim anything beyond that particular period. Therefore, how far this particular clause will be a strong point in favour of the workman under the existing circumstances of labour in our country is a point to be seen. It is no use giving in theory certain rights which cannot be translated into action or which cannot be enforced in practice. It is with that end in view that we have to give certain powers. If the intention of the Government is so good and it is in the interest of the workman, the clause has to be drafted in such a way that it will be in favour of the workman. I do not know whether the good intentions of the Government and the draftsmanship come into the clash with each other. If that is the case, there is also scope for some remedy.

15 hrs.

The next clause is about this particular compensation given during the period of lay-off or during the previous 12 months that can be set off for compensation payable for retrenchment. After a period of 45 days of lay-off, if the workman is retrenched, the compensation that he has received during this period of 45 days or during the previous twelve months can be set off for compensation for retrenchment. Now, I cannot understand the logic behind this. If there is compensation for retrenchment, how can this be set off against compensation that he has received for lay-off. I do not understand as to how this will be in favour of the workmen. Therefore, instead of making matters more complicated, instead of making matters more confused, it is better to lay down in a

very simple language that this person is entitled to no compensation at all even if he is retrenched. It is better to lay it down in such simple words. If that is not the intention, then he should be entitled to certain compensation for being retrenched for no fault on his part.

Then, as regards the Explanation added, it is stated:

"'Badli workman' means a workman who is employed in an industrial establishment in the place of another workmen . . ."

Of course, the very nature of the work of the 'Badli workman' is that he is a temporary, worker whose services are automatically terminated as and when the man who is originally there joins service. Therefore, he cannot continue to be in service for a period of twelve months continuously either as a casual worker or a 'Badli' worker. That is the case of the casual workers in the Railways. For 8 to 10 years, they have been working as casual workers but they have not been given all these facilities.

Shri Warior (Trichur): That is not the reason.

Dr. Sarojini Mahishi: I am referring to the casual labourers. So also is the case of labourers who are employed by the contractors who have taken contracts from the C.P.W.D. These people are working for years together but they are not getting any benefits. Therefore, I ask: How is it that we are going to cover all these people? The very nature of the work of the 'Badli' worker is that he cannot continue to be in service for a period of twelve months. In case he continues to be in service for twelve months, he ceases to be a 'Badli' worker and he is counted among other workers. If certain benefits are to be given to the substitute worker or to these casual workmen, then special provisions are to be made for them. It cannot be done by adding a line of explanation or by putting certain conditions which are quite impossible to be complied with and then we say that we have given certain facilities to them.

Under section 29 of the principle Act, certain words are to be added, that is, a penalty clause, "which may extend to six months, or with fine, or with both". As was said by many Members in the Opposition as well as on this side, first of all there should be a prosecution and then conviction. This penalty of Rs. 200 per day in case of continuing breach that is applicable only to such cases where the breach takes place after the conviction is a very rare thing indeed. I may point out that in many industrial concerns and in many theatres also, you may be surprised to know that even after the awards of the courts are given and the decrees are passed, the decrees are not brought into force and the facilities are not given to the workers. According to the Factories Act, I know that where 50 women workers are employed in a factory, it is provided that there should be a creche and certain other facilities for the working mothers. But no employer has gone to the extent of giving these facilities to them and complying with the terms of the award. Therefore, the best thing is to see that these awards are implemented and executed and that all the facilities according to the Factories Act and the Workmen's Compensation Act are brought into force and that the employers are made to implement these things. It is no use giving so many rights to the workmen in theory alone and at the same time not trying to enforce them in spirit. Government should try to enforce these things and should try to cover more and more workmen working in other institutes and other industrial concerns also.

Shri Priya Gupta (Katihar): Mr. Deputy-Speaker, Sir, the Industrial Disputes (Amendment) Bill, 1965 has been presented before the House in conformity with the behaviour of the Government always to give a latitude to the capitalists. That has also been expressed in the amended portion of the Bill.

In Section 2A, the protection has been given to the individual workers

for raising a dispute only in respect of termination of service, discharge from service and dismissal from service and nothing else. This protection has been given. But this should apply to all other conditions of service in respect of which he is penalised, say, for trade union work, for victimisation in the manner of transfer, reversion and stoppage of increments and such other punishments.

In this Section, the Government propose to include the Indian Airlines Corporation and the Air India workers. They should have also made provisions to include employees under the Solicitors and the Attorneys Companies, the employees in the hospitals and the teaching and non-teaching staff working in the universities, colleges and schools.

Then, the provision made under Section 25C is a very dangerous one, that is, the lay-off compensation which even if it be granted will be set off against retrenchment compensation. All the Members have spoken about it. There is a proviso:

"Provided further that it shall be lawful for the employer in any case falling within the foregoing proviso to retrench the workman..."

They are still making the provision of retrenchment also. In the same breath you are talking about lay-off compensation and about the setting off of the lay-off compensation against the retrenchment compensation and at the same time strengthening the hands of employers in the matter of retrenching the workers. That is very fine. It reminds me of a story of my childhood. I used to ask: Why is it that Mr. Birla and other big capitalists are joining the Indian National Congress? I was told that it was because they had a common ground, that is, the removal of the yoke of subjugation by the Britishers. But there was also another thing which was not concerning the masses. The capitalists thought that during the British

[Shri Priya Gupta]

subjugation, the businessmen of foreign land were dominating in India and, therefore, when India becomes free from that, they would come to power in controlling the Government. And today more and more privileges are being given to them and the Government is supporting them in all the enactments by protecting these businessmen and capitalist groups. I do not mind it. Let them do it. It is part of their agreement and, therefore, they are supporting them . . .

Shri Raghunath Singh (Varanasi): With your agreement also.

श्री प्रिया गुप्ता : उस वक्त तो सभी इंडियन नेशनल काब्रस में थे । बाद में आपके बरताव से अलग अलग हो गए हैं ।

Shri Warior: It is the sanctity of the contract.

Shri Priya Gupta: Yes, it is the sanctity of the contract which was made by the then leaders of the Congress with the businessmen.

Now, I come to the question of the badli workers. The term badli means in replacement of. A badli worker means a worker working in place of somebody in a sanctioned post. If a badli worker continues in service for so many years that means that the worth of charge necessitates an increase in the quantum of workers. So, in effect, these badli workers are only regular labour, and hence they must be given the same protection as the other regular workers without any restriction as to the period of service such as one year or so, under the provisions contained in the amending Bill.

In the last line of clause 5, the word 'continuous' in place of 'continual' has been used. Both the adjectives have almost the same meaning. The word 'continuous' means *lagataar*, while 'continual' means 'after taking the gaps into account'. So, the word should be 'continual'. If the total

restriction or embargo is not lifted by the Ministry of Labour, at least the word 'continuous' should be replaced by the word 'continual'.

Clause 6 relates to breach of settlement or award. In such cases why should the individual employee be expected to go to a court of law? Why should the trade union be expected to go to a court of law? After all it is checked by the labour inspectors who have now been designated as "Enforcement Officers." When their names have been changed to Enforcement officers, they can very well go and check and find out whether a particular employer has violated any award or has committed breach of settlement or award of a tribunal. Why does the Labour Ministry require the matter to be raised in a court of law and then expect the court of law to intervene and decide whether there is a breach or not? It is evident that the matter should be automatically taken up, and any employer violating an award or a settlement should be treated on a par as if he has been convicted and the same penalties should be imposed upon them as a deterrent measure.

Shri Warior: Let the employer go to a court.

Shri Priya Gupta: Yes, let the employer go to court to disprove the contention that he has violated the settlement or award.

The Industrial Disputes Act is a very big thing. We were hoping that many things would be done as a result of this. But after the passing of the Industrial Disputes Act, we find that the assurances given to us by the Government of India in regard to several things have not been fulfilled. The terms for recognition of labour unions, the conditions in regard to raising of a dispute etc. have not been dealt with properly by the Ministry of Labour.

One hon. Member had raised a question as to the time-limit within

which the conciliation officer should declare his opinion in respect of conciliation after a strike-notice is given. I am reminded here of the assurance given by the then Labour Minister Shri Jagjivan Ram on the floor of the Upper House when Shri Guruswami, the president of the All India Railwaymen's Federation wanted to amend the Bill and make a specific provision in regard to the time-limit; the Labour Minister Shri Jagjivan Ram had then told Shri Guruswami 'Well, we are also Indians, and my hon. friend is also an Indian; we are not apathetic to the labourers. Let not my hon. friend think that at any time the conciliation officer's report will be shelved and Government will take shelter under this provision and will never exercise the right to express opinion in the required terms for one year or two years or never? But when Government did not communicate decisions on the conciliation officer's express opinion in respect of the strike notice given by N.E. mazdoor union in 1956, Shri Guruswami had said that probably like King Dushyanta who forgot the ring that he had given to Shakuntala and could not recognise Shakuntala, likewise, Shri Jagjivan Ram who was the Labour Minister earlier and who had told Shri Guruswami that the provisions would not be superseded, on becoming a Railway Minister afterwards could not recognise the assurance that he had given in the past, just like King Dushyanta. That is what it comes to. Instead of doing things according to a plan and giving a positive power to them to express their opinion within a certain time-limit, this is what is happening. So, I would submit that it should be specifically provided that within a certain time-limit for Government to communicate the conciliation officer's express opinion when a strike-note is given.

Under the Industrial Disputes Act there are also provisions whereby by virtue of agreements between the trade union leaders and the management, there can operate a machinery in lieu

of normal conciliatory procedures under the Industrial Disputes Act. Accordingly, in 1951, Shri Jaya Prakash Narain, the then president of the All India Railwaymen's Federation after having had a talk with the then Railway Minister, Shri N. Gopalswami Ayyangar, came to an agreement, and under that agreement the procedures was laid down in respect of conciliation proceedings and the terms of references in relation thereto. In other words, that agreement laid down a procedure for disposing of the problems of the disputes of railwaymen, whether individual or en bloc by means of a machinery in lieu of the official conciliatory machinery under the Industrial Disputes Act. That machinery is called the Permanent Negotiating Machinery.

Under that machinery, three tiers were envisaged. One tier at the bottom was at the zonal level, or at the General Manager's level having its sections at the district and divisional headquarters; the second tier was at the Railway Board's level or at the Railway Ministry's level or at the level of the Government of India, and the third tier was the "Tribunal". The tribunal was an automatic thing under that agreement. When there is no agreement at the first and second level, that is, at the General Manager's level or at the Railway Board's level between the railway union Federation and the administration, then the matter goes to the tribunal; that is an automatic process. But I am very sorry to tell you that till today, from 1951 till 1965, not a single tribunal has been set up under this scheme. Whenever we raised this point, we used to be told that there was one Shankar Saran Tribunal. But I would like to point out that the one-man Shankar Saran tribunal was not as a result of the three-tier formula; it was a specific tribunal for the purpose of solving the anomalies arising out of the implementation of the First Pay Commission's recommendations. That tribunal did not fall within the purview of the three-tier system.

[Shri Priya Gupta]

At the meeting of the Labour sub-committee which was presided over by Shri Sanjivayya, Shri Peter Alvares as the General Secretary and myself as the Assistant General Secretary of the All India Railwaymen's Federation pleaded before the Labour Minister that this tribunal for arbitration of the disputes at all levels should be guaranteed, and the Labour Minister said that it should be guaranteed. We had given a list to the Railway Board level in this connection, and that is still under examination. We do not know the fate of it, and we do not know what is going to be done. That is how things are being managed by the railways.

As regards casual labour, the hon. lady Member who had spoken earlier could not express the position very clearly, but the fact is that they do the same work as a regular worker. But in the railways, whereas a workman or a member of the class IV staff has got to be paid his regular pay as per the railway rules, a casual labourer because he is only a casual labourer is getting only Rs. 1.25 or Rs. 1.75 or Rs. 1.80 or at the most Rs. 2 for the same regular work which he does. If we point this out, immediately we are told that the worker is only a casual worker and, therefore, he would be paid only on that basis. But I would like to submit that the casual labourer is really not a casual labourer at all. A casual labourer is one whom you utilise for work which is casual; you can term a worker as a casual worker or a casual labourer only when he is employed on work which is of a casual nature. But in the railways there are casual workers who are employed on work of a regular type. So, how could such workers be designated as casual workers or casual labour? The Railway Ministry has not yet clarified this point and done justice to these casual workers who are employed on regular work.

I know that the Labour Minister would immediately turn round and say that the Minimum Wages Act is there

to protect their interests. But I would categorically question that statement. The Minimum Wages Act provides that the District Magistrate of a district should announce the chart of the designations of the persons who can be designated as casual labourers. But in none of the gazette notifications or other notifications publicising the list of those coming under the Minimum Wages Act, has any District Magistrate ever announced the designation of 'Gangman' or other categories obtaining in the railways as coming under that list. Therefore, the argument that the Labour Minister may advance that they are covered by the Minimum Wages Act has no meaning. I may point out that under the electrification schemes and under the project schemes etc. in Railways there is a lot of exploitation of the labour, and they are given only half the pay of a regular worker though the work done by them is the same as that done by a regular worker. Government are talking of tightening up the economic structure in the name of austerity and so on. But that does not seem to be applicable to the gazetted officers and other officers; an officer employed in a project work gets the benefit all right; during the emergency, an IAS officer could also get an increment of Rs. 500. But so far as the casual labourers are concerned, Government are not attending to them at all in the name of austerity.

In all other countries I have travelled, I have seen there is a national policy for fixing wages. The Labour Ministry here should also introduce some provision whereby whenever an employer wants to start an establishment, he must first agree that the worker will be paid the minimum subsisting wage at par with cost of living index. Just as the working hours are fixed and safety factors are taken care of by the Factories Act, the formula for the minimum wage of the worker should also be ensured by some provision of law by the Labour Ministry. Why should an employer be allowed to start an establishment if initially he

cannot afford to make the payment of the minimum national wage to the worker? The Government of India have not so far laid down a national policy in this respect. Whenever there is a cry, they set up a wage board here and a wage board there and they give an increase of Rs. 2 or 4. These are all *ad hoc*, arbitrary arrangements and will not do. Government must come forward for the protection of workmen by legislating for the enactment of a minimum national wage specifying what it is. Then there should be a stop put to the rise in the cost of prices. This condition of the labourer should also come under the Industrial Disputes Act.

Lastly, in all cases of disputes concerning workmen working in an establishment, whether they are of an individual character, whether coming within the purview of these provisions or not, all matters concerning their conditions of service, such as transfer, promotion, appointment, stoppage of increment and all other things, as for example, quarters, uniform, rations, education, medical benefits etc., in all these cases the administration must be forced to talk to the unions or individuals and settle the matter. Also in all cases where the individual concerned has to spend some money in connection with this, provision has to be made by enactment for giving him the necessary financial assistance; otherwise, the poor man cannot go to a court of law and get redress, even though by the proposed section 2A it has been specified what all cases will constitute an industrial dispute.

I hope the Ministry will consider all these points and do the needful.

श्री सिंहासन सिंह (गोरखपुर)

उपाध्यक्ष महोदय,

श्री मुकम चन्द कड़वाय : उपाध्यक्ष महोदय, वाक्या का प्रश्न है। हाउस में गणपूर्ति नहीं है।

उपाध्यक्ष महोदय : जी बजाई जा रही है—श्रव कोरम हो गया है।

श्री सिंहासन सिंह : उपाध्यक्ष महोदय इस विधेयक पर काफी विचार हो चुका है। मुझे इस विधेयक को देखकर कुछ आश्चर्य हुआ। जब मैं ने देखा कि हमारे जो गण्यमान्य मजदूर नेता अपना अधिकतर समय मजदूरों के लाभ और भलाई के लिये दिया करते हैं और हमेशा इस बात का ध्यान रखते हैं कि मजदूरों का अधिक से अधिक सुविधा इन पूंजीपतियों से मिले, वे भी इस विधेयक का समर्थन कर रहे हैं, इस को प्राणीवाद दे रहे हैं, इस का स्वागत कर रहे हैं, तो मुझे कुछ हैरत सी हुई।

15.27 hrs.

(DR. SAROJINI MAHESIN in the Chair)

मुझे इस विधेयक में दो बातें एक दूसरे के विरुद्ध दिखाई दीं। एक तो इसमें यह व्यवस्था की गई है कि जो मजदूर किसी यूनियन का सदस्य न भी हो, उसको यह अधिकार दिया जा रहा है कि अगर उसको रिट्रेंच किया जाये, नौकरी से हटाया जाये, उस को सजा हो, ले प्राक हो, तो वह अपने मामले को ट्रिब्यूनल या ग्रावित्नेशन के सामने ले जाकर फ़ैसला करा ले। देखने में यह बड़ी अच्छी बात है। स्वागत योग्य बात है।

दूसरे, एक नई धारा 25(सी) रख कर यह विधान किया जा रहा है कि जो मजदूर लगातार—भाप देखिए कि लगातार, एक दिन का भी उसमें ब्रेकन हो—बारह महीने कार्य पर है, भवकाल के दिनों को छोड़कर, वे बारह महीने पूर्ण होने के बाद अगर उसका एम्प्लायर उस को सेवा से हटाकर करता है, तो वह अपने वेतन का पचास फीसदी नान का हकदार होगा। देखने में यह व्यवस्था बड़ी सुन्दर है, जो कि प्राईवेट मिनों और सरकारी संस्थाओं पर भी चम्पू टूंगी। स की वजह से मिल-मालिक और सरकारी अधिकारी किसी मजदूर को बि...

[श्री सिंहासन सिंह]

करने से डरेगे, क्योंकि सेवा-मुक्ति काल में भी उनको कम से कम पचास क्रीसवी बैलून देना होगा ।

लेकिन हम में जो दो प्रोवाइडी लगा दिये गये हैं, उनसे ये दोनों सुविधायें वापिस ले ली गई हैं । इस तरह एक हाथ से यह दिख-साया जा रहा है कि हम सेबर को ये ये सुविधायें दे रहे हैं और दूसरे हाथ से पूंजी-पतियों और उन संस्थाओं को, जो कि मजदूर या कारकुन रखती हैं, यह अधिकार दिया जा रहा है कि वे कोई मुझ हिदा, धनु-बन्ध या कान्ट्रैक्ट लिखा स और उस के आधार पर वे जो करें, क्योंकि उस हालत में हम पर ये बास्त्यायें लागू नहीं होंगी ।

जो मंत्री महोदय इस विधेयक को कह रहे हैं, वह कुछ मजदूरों के काफी बड़े नेता रह चुके हैं । अगर उन के जरिये यह सन्ध इन प्रोवाइडों सहित इस विधेयक को लागू कर दे, तो मैं कहना चाहता हूँ कि शायद से धाक की कोई प्राबल्य नहीं उठेगी, किसी मजदूर को कम्पेन्सेशन नहीं मिलेगा । शायद ही किसी मजदूर की पूरे साल भर की नौकरी हो पायेगी । इसलिए मंत्री महोदय बारह महीने की लगातार नौकरी होने के बाद जो अधिकार मजदूरों को दे रहे हैं उस से वे बंचित हो जायेंगे ।

इस प्रोवाइडों में लिखा है :

"Provided that if during any period of twelve months, a workman is so laid off for more than forty-five days, no such compensation shall be payable in respect of any period of the lay off after the expiry of the first forty-five days, if there is an agreement to that effect between the workman and the employer:"

जब देश में बेकारों की संख्या कितनी है, इसको ध्यान जानते ही हैं । करोड़ों में संख्या है । हर एक धावनी नौकरी पाने लिये दौड़-धूप कर रहा है ।

वह यही चाहता है कि उसको करने के लिये काम मिले । अभी मेरे पूर्व बक्ता ने कहा कि रेलवे में कैम्पुअल वर्कर के नाम पर लाखों धावनी काम करते हैं जिनको डेढ़ दरया रोज मिलता है, 45 रुपया महीना मिलता है । यही सोच जब चतुर्थ श्रेणी के हो जाते हैं तो गवर्नमेंट के कानून के अनुसार, गवर्नमेंट के धावनी के अनुसार उनको 80-85 रुपया महीना मिलने लग जाता है । परिणाम यह होता है कि ज्यादातर ऐसे धावनीयों को ले लिया जाता है जो कैम्पुअल वर्कर के तौर पर काम करना स्वीकार कर लेते हैं । तीन महीने के बाद एक को हटा दिया जाता है । वह बैठा जाता है । फिर तीन महीने के बाद दूसरे को लगा लिया जाता है और यह साइन चलती जाती है । एक साल भर लगातार होने की कमी नौबत ही नहीं धाती है । वह धावनी कैम्पुअल का कैम्पुअल वर्षों तक चलता जाता है । किसी को दस दिन के लिये हटा दिया, किसी को बीस दिन के लिये हटा दिया यह भीड़ चलती रहती है । काम हो रहा होता है लेकिन फिर भी हटा दिया जाता है । एक काम खत्म हो जाता है और दूसरा शुरू हो जाता है तो किया यह जाता है कि पहले धावनीयों को हटा दिया जाता है और नये धावनीयों को लगा लिया जाता है । कैम्पुअल वर्कर के तौर पर वह परम्परा चली धाती है । वह कमी रेलवे में जो दूसरे वर्कर हैं उनके समकक्ष नहीं आ पाता है । रेलवे का काम खत्म हो जाए या किसी ऐसी दूसरी संस्था का काम खत्म हो जाये तब तो वह भी भी समक्ष में धाती है कि उसको प्रलय कर दिया जाये । लेकिन जब काम शुरू है तो क्यों उसको बारह महीने पूरे करने का अवसर न हो दिया जाता है । वह यह अवधि पूरी न करने पाये इसलिए उसको प्रलय कर दिया जाये तो वह ठीक नहीं

है। यही व्यवस्था घ्राप यहां करने जा रहे हैं। कोई भी मालिक यह लिखा लेगा कि अगर 45 दिन बाद वह गैर-हाजिर होता है किसी भी कारण से, तो उसे यह अधिकार होगा कि निकाल दे, हटा दे। दूसरी प्राविसो में यह कहा गया है :

"Provided further that it shall be lawful for the employer in any case falling within the foregoing proviso to retrench the workman in accordance with the provisions contained in section 25F at any time after the expiry of the first forty-five days of the lay off and when he does so, any compensation paid to the workman . . . may be set off . . ."

प्रथम 45 दिन तो काउंट नहीं होंगे और फिर 45-45 करके एक साल पूरा नहीं होगा। यह जो बर्ड कंतिनुअस है बारिंग गजेटिड हालिडेन, यह कमी भी कंतिनुअस नहीं हो पायेगा। यह टूट सकता है। उसके बाद कुछ नहीं मिलेगा। वह उमको बीर में रिट्रेच कर देगा, उसको सैट ग्राफ कर देगा। घ्राप समझे कि इस तरह का कौन सा मालिक बेवकुफ होगा जो दिये हुये अधिकार का उपयोग नहीं करेगा या इस अधिकार का अपने लिये सदुपयोग नहीं करेगा और मजदूरों के लिये इसका दुहययोग नहीं करेगा। हर एक मालिक अब इसके अंदर यही करेगा। चूंकि बेकारी बहुत है, कि गरीब मजदूर से जांकि नोकरी करने के लिये मजबूर है, काम करने के लिये मजबूर है, शर्तनामा लिखा ले और वह लिख देगा और इस तरह से शर्तनामों की भरमार हांगी और कोई मजदूर साल भर पूरा नहीं कर पायेगा। वह उमको साल भर पूरा करने नहीं देगा। घ्राप ऐसी परम्परा ला रहे हैं कि हर एक व्यवसाय में हर एक कारखाने में हर एक जगह अब वह कज्युअल लबर के तौर पर पड़ा रहेगा, वह मुस्तकिल नहीं हो पायेगा। यह

बो भी ~~कहें~~ यह विचारणीय है। मैं चाहता हूं कि जब घ्राप जबाब दें तो यह भी बतावें कि इस तरह के प्राविजन को ला करके घ्राप कैसे लेबर ला में सुधार कर रहे हैं। मंत्री महोदय जानते हैं कि 1952 से पालियामेंट चल रही है। तब से कितनी ही बार और कितने ही एमेंडमेंट लेबर डिस्प्यूट्स के बारे में वे ला चुके हैं। मैं जानना चाहता हूं कि उनका परिणाम क्या हुआ है। इतने एमेंडमेंट्स होने के बाद लेबर की प्रवस्था में क्या सुधार हुआ है। पूंजीपतियों के व्यवहार में क्या सुधार हुआ है। अगर नहीं हुआ है तो सुधार लाने के लिये सरकार क्या उपाय सोचती है जो किये जाने चाहियें। घ्राप समाजवाद का नारा लगाते हैं। मजदूरों और मालिकों में संबंध न हो, इसकी घ्राप व्यवस्था करना चाहत है। मैं चाहता हूं कि घ्राप कोई ऐसी व्यवस्था करें ताकि मजदूर भी दिल लगा कर काम करें और समझे कि यह मेरा कार्य है, यह मेरा कारखाना है और मालिक भी दिल से समझे कि जो काम करने वाला है वह उसका अपना ही आदमी है। ऐसी व्यवस्था अगर हो जाये तो भगड़े नहीं होंगे। अगर घ्राप ऐसी व्यवस्था करना चाहते हैं तो घ्राप मुनाफे में दोनों का हिस्सा रखें, मजदूरों का हिस्सा भी हो और मालिकों का भी हो। मालिक अपना कैपिटल लगाता है और मजदूर अपना श्रम लगाता है और दोनों जब मिलते हैं तब उत्पादन होता है। मालिक अपने कैपिटल का मूद पाता है और मजदूर जो काम करता है उसकी तनस्वाह पाता है। जो मुनाफा है वह दोनों को मिलना चाहिये। घ्राब तो ज्यादा तर मुनाफा मालिक ले जाता है और बे-चारे मजदूर को कुछ नहीं मिलता है।

मेरे पीछे पूंजीपति सेठ बैठे हुए हैं। सेठ जी बैठे हुए हैं इन्होंने एक किताब लिखी है "सादर शासन व्यवस्था"। इसके अन्वय इन्होंने लिखा है कि जब तक प्राफिट

[श्री सिंहासन सिंह]

को है, मुनाफा जो है उसका दोनों में बटवारा नहीं होगा तब तक ये झगड़े खत्म नहीं होंगे, तब तक ये झगड़े चलते रहेंगे। यह इनका अनुभव है जोकि खुद पूंजीपति है, जोकि खुद मिल मालिक है। जब एक कौंपिटलरिट का यह अनुभव है कि जब तक प्राफिट शेयर नहीं होगा, मुनाफे का दोनों में ठीक ठीक बटवारा नहीं होगा तब तक झगड़े चलते रहेंगे, तो इसके बारे में आपको चाहिये कि आप गम्भीरता से सोचें। जब झगड़े नहीं होंगे तो देश का उत्पादन भी बढ़ेगा और देश को लाभ होगा। इस वास्ते मजदूरों और मालिकों के बीच में झगड़े की जो जड़ है उसको आप दूर करें। समाजवाद में तो प्राफिट शेयरिंग की व्यवस्था होती है, पूंजीवादी व्यवस्था में अगर यह व्यवस्था हो जाए तो बहुत अच्छा हो जब आप ऐसा नहीं करते हैं तब तक झगड़े रहेंगे ही।

कानून जो आप बनाते हैं वे अपने सिक्रेटरीज की सलाह से बनाते हैं। हमारा दुर्भाग्य यह है कि हम कितना भी उनका विरोध करें, वे पास हो ही जाते हैं। अगर हम कोई संशोधन देते हैं तो जब तक सिक्रेटरी न कहे, मजूर ही नहीं होता है।

श्री सुरेन्द्र नाथ द्विवेदी (केन्द्रपाड़ा) : पास होने में आप मदद करते हैं। तो फिर आप विरोध क्यों करते हैं ?

श्री सिंहासन सिंह : अगर बोट हो तो मैं खिलाफ करूंगा। यह हिम्मत तो मैं कर सकता हूँ। लेकिन उसके बावजूद भी यह पास हो ही जाएगा। गोजर के हथार पैर होते हैं, एक टूट भीजाये तो कुछ बिगड़ता नहीं है। अगर मैं इसके विरोध में भी बोट करूँ तो भी यह पास हो ही जाएगा। मुझे दुःख है कि ये हर काम सिक्रेटरी से पूछ कर ही करते हैं। अगर वे कहेंगे तब तो ये उसको कबूल कर लेंगे और कहेंगे कि न किया जाए तो नहीं होगा।

श्री सुरेन्द्र नाथ द्विवेदी : ब्यूरोक्रेट्स की एडमिनिरट्रेशन है।

श्री सिंहासन सिंह : ब्यूरोक्रेट्स की तो है ही लेकिन उनके साथ पूंजीपति भी मिले हुए हैं। एडमिनिरट्रेशन जिस प्राविजन को लाने के लिए कहती है उसी को ये ला सकते हैं, दूसरी को नहीं ला सकते हैं। मैं चाहता हूँ कि मंत्री महोदय ईमानदारी के साथ इस पर सोच विचार करें। वह बड़े लेबर के हितैषी है। हमारे संजीवैया साहब भी है। वे विचार करें इस चीज पर। इसको राज्य सभा ने तो पास कर दिया है। वह तो राजाश्रमों की सभा है। लोक सभा में तो गरीब जनता के प्रतिनिधि हैं और गरीबों का ही यह प्रतिनिधित्व करती है। मैं चाहता हूँ कि एक बार फिर इसको पास करवाने से पहले वे विचार करें। अगर उन प्राविजंस को निवाल दें तब तो उनकी एमेंडमेंट्स में कुछ सार रह सकता है, वना नहीं। उनके रहते हुए कोई सार नहीं रह सकता है।

सभापति महोदय : श्री हुकम चन्द कछवाय।

श्री हुकम चन्द कछवाय : सभापति महोदय, इसके पहले कि मैं शुरू करूँ, मैं एक व्यवस्था का प्रश्न उठाना चाहता हूँ। इस समय सदन में शांति नहीं है। इसके पहले कि मैं बोलना शुरू करूँ, गणपूर्ति हो जानी चाहिये।

सभापति महोदय : घंटी बज रही है..... प्रब कोरम हो गया है। माननीय सदस्य प्रारम्भ करें।

श्री हुकम चन्द कछवाय : सभापति महोदय, मैं इस बिल का समर्थन करता हूँ परन्तु इस सम्बन्ध में दो चार बातें कहना चाहता हूँ। इस बिल के अनुसार हवाई जहाज कर्मचारियों के ऊपर औद्योगिक विवाद अधिनियम जो लागू किया जा रहा है यह बहुत अच्छी बात है। लेकिन इस को बहुत दिग्

पहले लागू किया जाना चाहिये था। इस मामले में हमारी सरकार काफी दिन पिछड़ गई है।

इस विधेयक में यह सहूलियत दी गई है कि कोई भी कर्मचारी अपना झगड़ा कोर्ट में ले जा सकता है जब कि पहले यह व्यवस्था थी कि कोई भी कर्मचारी अपने वेतने को, अपने मुकदमे या विवाद को व्यक्तिगत रूप से नहीं ले जा सकता था, किसी यूनियन के द्वारा ही वह जा सकता था। यह जो छूट आप ने दी है यह बड़ी अच्छी बात है। इस सम्बन्ध में मैं मध्य प्रदेश का उदाहरण देना चाहता हूँ। मेरा आरोप है कि मध्य प्रदेश में जितने भी लेबर जज हैं उन के द्वारा मजदूरों के हकों के बारे में कभी भी वाजिब फैसला नहीं होता। इस का प्रमुख कारण यह है कि मध्य प्रदेश में जितने भी लेबर जज हैं, वे मालिकों से बंधे हुए हैं। इस लिये मैं आपके द्वारा सरकार से निवेदन करना चाहता हूँ कि जितने भी लेबर कोर्ट हैं उन को समाप्त कर के इन केसेज को सिविल जज या हाई कोर्ट में भेजना चाहिए।

मजदूरों की जो जमात है उन पर मालिकों द्वारा जो आरोप लगाये जाते हैं या जो केस उन पर लाये जाते हैं उनमें एक बात देखने को मिली। किसी और प्रदेश में यह बात है या नहीं यह मैं नहीं जानता हूँ क्योंकि भिन्न भिन्न प्रदेशों में अलग अलग प्रकार के नियम हैं। किन्तु मध्य प्रदेश में यदि किसी मजदूर से कोई अपराध हो जाये तो उस का जो बयान वहाँ के लेबर आफिसर या मैनेजर के सामने होता है उसे को ही कोर्ट में माना जाता है। वहाँ पर उस का बयान पुनः नहीं होता है। मेरा यह कहना है कि इन बयानों को रद्द कर के मजदूर कोर्ट में जो बयान दे उस पर विचार होना चाहिये।

आप ने कहा है कि जहाँ तक 'ले आफ' की बात है 45 दिन के बाद अगर 46 वें दिन से आगे कोई मजदूर दुबारा बैठे तो उसे ले आफ नहीं मिलेगा, लेकिन अगर मालिक और

मजदूरों में कोई समझौता हो जाय तो यह बात हो सकती है। मैं किस का विरोध करता हूँ और कहता हूँ कि मजदूरों से आप चाहें जैसा समझौता कर सकते हैं क्योंकि मजदूर तो केवल यह चाहता है कि उसे काम मिलना चाहिये। मजदूर की उंगली दबी होती है, वह मजदूर होता है। इस लिये अपना पेट भरने के लिये वह किसी प्रकार के समझौते पर हस्ताक्षर कर सकता है। आप को पता है कि मजदूर कितना अनपढ़ और कितना अज्ञानी होता है। उदाहरण के तौर पर मैं मध्य प्रदेश के कोयला खदानों या बागानों के मजदूरों की बात कहता हूँ। वह बिल्कुल अज्ञानी होते हैं। उन को अपने हकों के बारे में कोई ज्ञान नहीं होता है और वह किसी प्रकार के भी दस्तावेज पर हस्ताक्षर कर सकते हैं। मालिक उन से दस्तावेज लिखवा कर अपने पास रख लेता है और उन पर लागू कर देता है चाहे समझौता कौसा भी हो, यह गैरकानूनी चीज है इस को गैर कानूनी ही माना जाना चाहिये, और इस को समाप्त किया जाना चाहिये।

आपने मजदूरों को जो यह हक दिया है कि वह अपना केस खुद ले जा सकते हैं इससे एक बात तो होगी कि हमारे देश के अन्दर प्राई एन० टी० यू० सी० को जो ठेकेदारी बन गई है इस कानून से उस को धक्का लगेगा और उन की ठेकेदारी समाप्त होगी क्योंकि अभी तक यह कानून था कि बिना किसी मान्यता प्राप्त यूनियन के वह अपना केस कोर्ट में नहीं ले जा सकते थे। इस सम्बन्ध में आप बहुत दिनों बाद जगे हैं लेकिन फिर भी जगे तो हैं। अगर यह विधेयक पहले आ जाता तो जो बहुत सी अपराधें पैदा हुई हैं वह न पैदा होती। इसलिये मैं इस बारे में इस विधेयक का हृदय से स्वागत करता हूँ।

आपने जो प्रागे जग कर कहा है कि अगर कोई मालिक अपराध करेगा और अपराध के दंड स्वरूप अगर उन को सजा होगी

[श्री हुकम चंद नख्खराय]

तो वह ज्यादा से ज्यादा 200 रु० जर्मनी की हांगी। इसके बारे में मैं बतलाना चाहता हूँ कि पहले यह प्रथा थी कि भ्रगर मालिक एक बार अपराध करता था तो वह रुपया देकर सजा भुगत लेता था ? उस के बाद उसके कामों पर कोई रोक नहीं थी। जो अपराध वह करता था उसका कोई हिसाब किताब नहीं था। लेकिन अब ऐसा नहीं होगा। फँसला होने के बाद यदि वह अपराध करता है तो प्रतिदिन ज्यादा से ज्यादा दंड जो उसे दिया जा सकता है वह 200 रु० होगा। इन 200 रु० की जगह कम से कम 1 हजार और ज्यादा से ज्यादा 10,000 रु० होना चाहिये और इसका पालन भी होना चाहिये।

जब आपने हवाई जहाज के कर्मचारियों के सम्बन्ध में इस अतिनियम को लागू किया है तो मैं एक बात कहना चाहता हूँ कि जो अस्पताल के कर्मचारी हैं आखिर उन्होंने क्या अपराध किया है ? आप उन के बारे में विचार क्यों नहीं करते ? अस्पताल एक ऐसा क्षेत्र है जहाँ के लोग हड़ताल नहीं कर सकते, अपनी मांग नहीं रख सकते हैं, जुलूस नहीं निकाल सकते हैं। भ्रगर अस्पताल के कर्मचारी ऐसा करे तो वह बड़े भारी दंडी होंगे। इसलिये मैं सरकार से निवेदन करना चाहता हूँ कि वह इसके लिये कोई भी कदम उठाये और अस्पताल के कर्मचारियों को यह अधि-कार दे।

जहाँ तक शिक्षा संस्थाओं का सम्बन्ध है, चाहे वह सरकारी हों या गैर-सरकारी, या विश्वविद्यालय हों, उन सब के बारे में सरकार को विशेष ढंग से कदम उठाना चाहिये और उन लोगों के पर भी इस को लागू करना चाहिये। जहाँ तक होटलों का सवाल है, वहाँ के कर्मचारियों या नगरपालिकाओं के कर्मचारियों की भी बड़ी भारी समस्या है। इसलिये सरकार जो छोटे छोटे टुकड़ों में यहाँ बार बार विधेयक लाती है, यह बहुत गलत है। उसको एक बार पूर्णतया विचार कर लेना चाहिये और उस के बाद विधे-

यक लाना चाहिये मैं नहीं कहता कि वह जल्दी करे। भले ही एक साल के बाद लाये लेकिन सब विषयों पर विचार करके चाहे खेत मजदूर हों, चाहे बीड़ी मजदूर हों चाहे कोयला खदान मजदूर हों या बागान मजदूर हों सब प्रकार के मजदूर के सम्बन्ध में गम्भीरता से विचार करके यहाँ पर इकट्ठा संशोधन विधेयक पेश करे ताकि हम उस पर विचार कर सकें।

जहाँ तक बदली पास वालों का सवाल है मैं जानता हूँ कि लोगों को एक एक साल काम करने के बाद हटाया गया बर्गर कंडिशन-वजा हुए दिए ही। मैं ए.पी. के द्वारा मर्न. जी का ध्यान दिलाना चाहता हूँ कि मिनस्टर्स एक कपड़ा मिल मजदूर हूँ। वहाँ पर किस तरह से मालिक लोग मजदूरों को साल भर काम करने देते हैं इस का उदाहरण मैं बतलाता हूँ। मान लीजिये कि किसी को किसी बदली पास में लिया गया है। भ्रगर वह एक महीने के लिये है तो एक महीने काम करने के बाद उसे हटा दिया जाता है। चार रोज तक वह घर बँटना है और उसके बाद फिर उस की शुरुआत हो जाती है। बदली पास एक महीने के लिये हो ता है। इस तरह से लोगों को काम करते करते लोगों को दस दस और बारह बारह साल हो गये हैं और वह टम्पोरेरी बने रहते हैं और बदली में काम करते जाते हैं। बदली कर्मचारी रेलवे में भी होते हैं। नगरपालिकाओं में भी होते हैं। सभी क्षेत्रों में बदली में काम करने वाले लोग हैं। आप जरा गौर तो कीजिए कि कितने व्यक्तियों को इस तरह से काम मिलता है ? कई व्यक्तियों को बड़ी कठिनाई में काम लिमा है, कईयों को इस प्रकार काम करते करते सालों बीत जाते हैं।

मैं इस सम्बन्ध में एक बात और कहना चाहता हूँ कि किसी भी फँसटी में कोई विवाद खड़ा हो जाये, जो इन्स्पेक्टर वहाँ जांच करने जाता है वह मालिकों के यहाँ चाय पीता है। मेरा आरोप यह है कि इसलिये वह उन के

हक में शरिफ़ देता है। नज़रों यह बात अनुभव के आधार पर मालूम है।

मन्त्री महोदय से मैंने पिछली बार भी कहा था और आज फिर दोहराता हूँ कि इस प्रकार के जो नियम हैं वह एक त्रेकदारी प्रथा कायम करते हैं। इनको समाप्त करके हर उद्योग के अन्दर, हर कारख़ाने के अन्दर, यनिवर्सिटीयों में इसे लागू होना चाहिये। हर उत्पादन में मजदूर भागीदार होना चाहिये। जब तक वह भागीदार नहीं होता, वह मेहनत के साथ और रुचि के साथ उसमें काम नहीं कर सकता।

मैं एक बात और कहना चाहता हूँ। शायद मालिक सोचते हैं कि वह पूंजी लगाते हैं इसलिए मालिक हैं। लेकिन मालिक को यह नहीं बनना चाहिए कि उसने पूंजी लगायी है पैसे की, हम पूंजी लगाते हैं पसीने की। उसकी पूंजी पैसे की है और हमारी पूंजी पसीने की है। दोनों समान हैं। तो इन दोनों को ध्यान में रखते हुए इस सम्बन्ध में विचार करना चाहिए। मेरा माननीय मन्त्री महोदय से निवेदन है कि मैंने जो हवाले दिए हैं उन पर विचार करके मेरे प्रश्न का उत्तर दें।

Mr. Chairman: Shri Warrior. I request the hon. Member to take not more than seven minutes. If he finishes within five minutes, it will be good.

Shri Warrior: It is not a question of minutes; there are very important things to be referred to. Although the provisions of the Bill are only a few, they cover very many people. So, it is very important. First of all, my opinion is that when a legislation of this sort has been brought forward, it must have some reflection of the actual realities that obtain in this country. Apart from that, if it is an abstract piece of legislation, I do not mind. It is a universally accepted

maxim that whenever a piece of social legislation is brought forward, it must have some reflection, at least a distant reflection, of the actual realities that obtain in this country. The Government speaks about badli workers. I think many of our hon. Members do not even know who is a badli worker. There are so many categories, according to the legislation, in respect of the workers. There are permanent workers; then there are badli workers, who take up jobs then and there when the permanent worker is absent. This is to cover absentees or the absence of those who take leave. Then there are the casual workers; there are trainees; there are those who are called optionals. All sorts of categories or categorisation are there. In this legislation, we are only covering the badlies as far as the first amendment is concerned.

There are certain factories employing power, where there is not a single permanent worker designated as such. All are badlies. I know from my own experience in my own town in the workshops, the engineering workshops there, there are certain cases where the employers employ two or three lathes and who do not at all register their factories and the work done in them. They consider the factories just like their own kitchens. They consider it as their kitchen affair! Take for instance, the plantations. The Minister also should take note of that. Even in the organised plantations—leave alone the unorganised plantations—and the plantation industries, managed by European companies like Harrison and Crossfield, who own large tracts of land in the Western Ghats, there is not a single estate in which they have taken any decision that there should be so many permanent workers and so many badli workers. Throughout all these years, they know what is the permanent nature of the work; they know how much should be the complement; but

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they never employ the permanent complement. Suppose there is an estate of so many acres having so many trees, and the industry is a pucca, organised industry, they know that there should be so many tappers, so many weeders, and so many oilers and other workers. They know that. But they never have a register or a muster-roll wherein they can show that so many permanent workers are always permanent or at least so much of the quota or the quantum of the number of workers are always permanent and those posts are always filled up. The list is always in arrears. Suppose an estate should have a thousand workers on its permanent staff, or on the permanent muster-roll, suppose it is so, what action will this Government take to see that that institution fulfils that requirement? Actually, they are left with only 500 or 700 workers and the rest, which constitutes a huge number of workers, is left as badli workers. That is the actual reality.

Therefore, the first point is to see that every organised industry at least, whether it uses power or not, such as an organised plantation, industry, they must have a permanent list of permanent workers, and the number of permanent workers must be statutorily provided in these industries. Then only the badli workers have their first protection.

Then there are casual workers; many people do not know what is happening. You will be amazed, Mr. Chairman, that in this year of our Lord, 1965, there are casual workers who are called casual workers simply because on the last day of the sixth month, for one day, 24 hours, they are kept out of the rolls and then they are re-employed. They might continue to satisfy the provision of 240 days in a calendar year, but there is a break in the sixth month. Suppose on June 30th, a worker is discharged for that day, and on July 1st, he is re-employed, and he is considered as

a casual labourer, what do you think of it? On that particular day, he is unemployed. See the mockery of the whole thing. He is employed for almost six months; he is working as a gang cooly, but on that particular day, 30th June, he is under the category of casual workers. As my hon. friend Shri Priya Gupta has said, he is paid only Rs. 1.25 or Rs. 1.50 or so for that particular day. Actually, on the previous day and on the next day, he is getting about Rs. 4 a day; it is the very same worker who gets like that. This arrangement continues for 9, 10 or 11 years. But the worker is sticking there owing to the conditions. One is, the cheapest market in India today, and it has been so for so many years, is the labour market. Although the prices are rising, the labour market continues to be the cheapest. Secondly, this glut in the labour market is exploited not only by private profiteers and private individuals and entrepreneurs but also by the socialistic government. I wish that this tall talk of socialism is left in cold storage for sometime so that the rights of the workers may be protected during that period!

Why should they speak of socialism so much? We have nothing to do with socialism. We have not even any distant relationship with socialists. But in this country, have we not come to a time where the Government and the people should see that the workers' rights are protected at least to the minimum? The investors' rights are always protected. Tomorrow a Bill is coming in that respect; it is a shame on this country; when our jawans are dying, the hoarders of gold are being given so many concessions and not even a living wage, let alone a fair wage, is given to these workers. And the Government is bringing forward this legislation to implement the aspirations of the workers. Then, like a stingy miser, so many provisions are there. I ask the Government and the Minister, what is the meaning of this word

"workman"? What is this word used in the singular? It speaks of "workman and his employer".

Shri Priya Gupta: Why not the union?

Shri Warlor: No. They would not. I ask the Government: give a stick more, a long danda to the employers to beat all other workers with, those workers who insist that they will not sign the agreement. Then, that will be much more helpful to the employers. In this country, where there is so much of competition for living, for earning a livelihood, to take out their daily bread, do you think that a worker will not succumb to this? All right. You want a job; give that, and you lick my boots. Even licking of boots will be done in this country because the people are poor and are unemployed. The unemployment is so much that you might give such a provision as well. Well, I am not developing that argument. But I think that even in this year of our Lord, 1965, to bring such a legislation with such a loophole or lacuna is a shame on the part of this Government who have brought forward such a measure before this august House.

Now, my hon. friend Shri Indrajit Gupta has dealt with the provision about the fine imposed on the employer. Of course, only after conviction, the defaulting employer will have to pay the fine. But what about the dues of the workers? Will the workers' dues be recovered from the employers through the Land Revenue Recovery Act?

Shri R. K. Malviya: That is the provision.

Shri Warlor: Where is that provision?

Shri R. K. Malviya: In the Industrial Disputes Act.

Shri Warlor: If that is the provision there, it is not here. If there is a provision, it must be explicitly

stated. Government is very keen to recover its dues and fines, but not so keen, so far as this legislation goes at least, to recover the workers' dues. The minister himself knows the labour problems what are the stumbling blocks, what is the actual practice, what our workers are getting, what they are denied, etc. But he is in a particular position and he cannot . . .

16 hrs.

Shri R. K. Malviya: This provision is already there; it need not be repeated in every amendment.

Shri Warlor: It may be there, but in actual practice, workers are not getting their dues in time.

Shri Priya Gupta: Another court case for that!

Shri Warlor: I support all those who have proposed that a comprehensive legislation must be brought. There are the conciliation boards. But employers do not turn up on the summons. The District Labour Officer sits there and we are all there punctually at 11. But the employer sends a letter to the District Collector saying his life is in danger and there is a chance of his being molested in the labour office or nearabout, and he never appears. There is no provision at all to summon him or to issue a warrant against him.

When we discuss the lay off question, what is the implicit meaning enshrined in the parent Act? There is a mill. Something goes wrong with the machinery; some accidents occur or a boiler bursts. There is electricity cut. Such other contingencies are there. This is expected to be of a very temporary nature, not beyond 45 days. After that also, if the machinery is irreparable, the mill has to close down and workers will be retrenched. It is not that for 45 days they are given free meals, half the wages are given and so on. Except in Bombay, Calcutta and some big towns, even in urban areas, these

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workers come 6 or 10 miles walking in the early morning. When they come to the gates, their names are noted down in the muster roll and they are sent back. If the company blows a whistle, all of a sudden the workers have to come. They are treated like bolts on the door. If I want, I will bolt the door or if I do not want, I will release it.

After 45 days, the workers should be given all retrenchment benefits. Why should the government be stingy about that? This half wage for 45 days is not given out of gratis; it is earned wage. The workers are there. Whether he works or not is not dependent on him; it depends on other circumstances, which I have explained. Suppose a mill has no raw materials. How can you penalise the workers? That is why lay off is provided. For no fault of the worker, there is stoppage of the concern. It goes on for 45 days. Then if it becomes difficult to run it, there are other provisions for the government taking over the mills. But government is very reluctant to do it. There are textile mills run by a Coimbatore magnate in Trichur. For how many days they have been closed! After 45 days, they say, lock-out. Thousands of workers are employed there.

The question of bonus issue is there. As soon as this bonus enactment was passed by Parliament, before it was sent for Presidential assent, mills began to close down. As Mr. Manubhai Shah explained, there is a glut in the market.

Mr. Chairman: He should conclude now.

Shri Warior: This is very important.

Mr. Chairman: I am not saying this is not important, but within the given time he has to complete his speech.

Shri Warior: I am not repeating anything. I am simply giving instance after instance. With the 35 years of experience I have in trade unionism.

Mr. Chairman: He may conclude in two minutes.

Shri Warior: I request you to be patient with me. There is enough time till five o'clock and we are prepared to sit for more time also.

Shri Kapur Singh (Ludhiana): Madam Chairman, if I have been able to understand my hon. friend correctly, his main grievance seems to be that this Bill ought not to have been introduced in the year of our Lord, 1965. Let it wait till the next year.

Mr. Chairman: He is capable of defending himself.

Shri Warior: Mr. Kapur Singh can expound my cause if I give him a *vakalat*. But I have not given him a *vakalat*. I will expound my own cause.

When this bonus question came up, the mills took advantage of that, kicked up a dispute and closed down. Actually, the South Indian Mill-owners' Association, in their meeting, passed a resolution to cut down the shifts in the cotton mills. Why not they say straightway, "Look here. We have stocks which are not lifted. We have no money. The Reserve Bank has squeezed our credit. We cannot run the mills." Why not say so? Water flows down only, not up. The worker is down and naturally they want to get on the shoulders of the workers. They kicked up the subterfuge of bonus question and closed down. When wage boards give awards, the same practices are adopted to defeat the wage boards. All sorts of disputes can be kicked up by the employers. If the government also falls a victim to that and tries to justify them, where can the workers go for protection?

I think these realities must be taken into consideration. All those things which had been taken up in the tripartite labour conference must be taken into consideration before government brings up a comprehensive labour legislation to give protection to the workers. Then only this Bill will in proper order. Otherwise, the draft itself is wrong.

Shri V. B. Gandhi (Bombay Central South): I welcome this Bill . . .

श्री वृद्धम चन्द्र कृष्णाय : सभापति महोदय, इस समय सदन में गणपूर्ति नहीं है।

Mr. Chairman: He may resume his seat. The bell is being rung.

There is quorum now. The hon. Member, Shri Gandhi, may proceed.

Shri V. B. Gandhi: Madam, this is a good measure, more good than otherwise. I will also say that we have noted the observation of the hon. Deputy Minister that the provisions such as have been incorporated in the Bill have been recommended by the Standing Labour Committee. I promise we shall pay due weight to the recommendations of the Standing Labour Committee, but I also promise that we shall try to place before the House other views when we are not fully convinced that the provisions in the Bill are really suitable for our purposes.

It is provided in this Bill that the two corporations, the Indian Airlines Corporation and the Air India Corporation, should be brought within the sphere of the Central Government. That is a good step, a logical step, and the wonder is that we did not think of it earlier. Such a step will help better regulation of the industrial relations in these corporations.

Now I will come to a really very important point and that is about the

provisions in clause 3. In clause 3 we insert a new section, Section 2A. In this section we provide that a dispute between an individual workman and his employer shall be deemed to be an industrial dispute. It will not be necessary to have it sponsored by any trade union or supported by a number of workmen as it used to be before this provision came into force. That, Madam, is considered to be a gain for labour. Many in this House have held it as a gain for labour. Probably, it is so; I do not doubt it. But, at the same time, we must not forget that there are other views on this subject as to whether by granting this status of an industrial dispute to a dispute between an individual worker and his employer we are really helping the larger cause of trade union strength, the larger cause of decision by collective bargaining. We really ought not to treat some of these other aspects lightly. For instance, we remember that there has been a judgment of the Supreme Court in the case of the workers of Messrs. Dharampal Premchand versus the employers' firm. In that judgment the Supreme Court has opined that in the absence of a limitation that the dispute should be supported either by a union or by a number of workers claims for reference may be made frivolously and unreasonably by dismissed employees and that it would be undesirable to allow such claims. The view of the Supreme Court on a matter like this, in my opinion, is entitled to some respect and serious consideration by us. The judgment further expressed the fear that in the absence of a limitation that the dispute should be supported by these other conditions there will be claims for reference to be made to courts in a frivolous way.

Finally, I would say that we might examine this aspect later or on some other occasion when we shall be considering amending this Act. In the meantime we shall have gained some experience with the present proposed provisions of this Bill.

[Shri V. B. Gandhi.]

Only one more point I want to make and it is about the right of compensation for workers who are laid off. We are providing that compensation will be paid to workmen not only for the first 45 days but also for the other periods during a year irrespective of whether the lay off is continuous or intermittent. That is a good thing. That is a gain for labour and that is provided in the first paragraph of section 25C. But in the very next paragraph we see that there is this proviso which says that if a workman is laid off for more than 45 days no compensation shall be payable in respect of any period of the lay off after the expiry of the first 45 days if there is an agreement to that effect between the workman and the employer. A lot has been said about this. What precious chance has an individual workman to deal with an employer on anything like equal terms in a situation like this. After all, we all know the position as it stands. If section 25C gives the right to be paid compensation, as we have seen, the next proviso seriously modifies that right.

We know that our labour legislation cannot be based theoretically on what is good for workmen only but we have to balance it with the consideration, at the same time, of what is economically possible or good for the industry. Even granting that there is this need for taking such a balanced view, I feel that it is time that we insert a little more of clearer direction in the coming labour legislation.

श्री बिशनचन्द्र से (एटा): आदरणीय सभापति महोदय मुझे मंत्री महोदय से केवल एक बात कहनी है कि आज इस समय देश में उत्पादन की कमी है और इस कारण हमारे देश को दूसरे देश के सामने हतप्रभ होना पड़ रहा है। इस का मुख्य कारण यह है कि जितनी मशीनों की कैपैसिटी हमारे देश में लगी है उस

का पूरा उपयोग नहीं हो रहा है। जैसा कि मेरे एक आदरणीय मित्र ने कहा मैंने एक पुस्तक लिखी है और उसमें उत्पादन के कुछ उपाय अपनी प्रिविडकल नालिज से लिये हैं। उसमें मैंने बताया है कि जितने भी संस्थान हैं, जिनमें पचास से अधिक आदमी काम करते हैं उनमें बरकर की साझेदारी कर देनी चाहिये। ऐसा करने का नतीजा यह होगा कि काम करने का बरकर का उत्पाद बढ़ जायेगा लेकिन ऐसा नहीं किया जाना और आप नये नये कानून लाते हैं जोकि अधूरे होते हैं। अगर व पूरे होते तो पुनः पुनः विधान में परिवर्तन करने की आपकी आवश्यकता नहीं होता। फलतः पुरु श्रम को संभालते हैं तो दूसरा खराब हो जाता है।

मेरा केवल यही निवेदन है कि यह पूरे देश का प्रश्न है, उसमें जल्दी करने की आवश्यकता नहीं है। आप इस प्रश्न पर गंभीरता से विचार पुनः करें जितने भी देश में संस्थान हैं चाहे मिलें या कोई भी दूसरे इन्स्टीट्यूशन हों, सरकारी या गैर-सरकारी हों उन सबमें काम करने वालों की साझेदारी कर दीजिये। अगर आप चाहेंगे तो मैं अपने विचार आपको पूरे डिटल में दूंगा। इस बक्त तो मैंने केवल दो मिनट समय मांगा है और दो मिनट में ही समाप्त कर दूंगा। अगर आप साझेदारी नहीं लाते तो मजदूर और मालिक के बीच में एक खाई रुद्वै बनी रहती है।

मैं एक छोटा मोटा स्वतः व्यवसायी हूँ। यदि इस समय आप मेरी बातों को मान्यता न दें तो मेरा सुझाव है कि इस कानून को कुछ समय के लिये रहने दीजिये और गंभीरता से विचार करने के बाद ऐसा कानून बनाइये जिसे सारा देश मंजूर करे। इस प्रकार छोटे छोटे

टुकड़ों में कानून पास करना उचित नहीं है। बस मेरा इतना ही निवेदन है।

श्री गौरी शंकर कक्कड़ (फतेहपुर) : मुझे इसका आश्चर्य होता है कि एक सरकार जिसने संकल्प इस बात का लिया हो कि वह समाजवादी प्राथिक व्यवस्था देश में करेगी, जब कमी संशोधन इंडस्ट्रियल डिस्प्यूट के बारे में लाती है तो यह देखा जाता है कि प्रायः बजाय मजदूरों को सुविधा देने के उनमें अधिकतर मिल मालिकान को ही सुविधा मिल जाती है, और इस प्रकार जो समाजवादी प्राथिक व्यवस्था है वह नहीं आ पाती।

मैं ज्यादा न कह कर केवल इतना कहना चाहता हूँ कि जो संशोधन विधेयक हमारे सामने लाया गया है इसमें जो दो तीन धाराएँ हैं उनको पढ़ने से साफ हो जाता है कि प्रयत्न इस बात का किया गया है कि अधिक लाभ मिल मालिकान को दिया जाये बजाय मजदूरों के। मेरी समझ में नहीं आता कि जब एक बार वर्कमैन की परिभाषा की गयी तो उसमें सभी वर्गों के काम करने वालों को क्यों नहीं शामिल किया गया, जैसे अस्पतालों के कर्मचारियों को, या एजू-कैम्बल इंस्टीट्यूशन्स के कर्मचारियों, अध्यापकों आदि को। उस परिभाषा को पूरी तफ-सील के साथ क्यों नहीं बनाया गया और उस चीज को धरूरा रखा गया।

दूसरी बात मुझे यह कहनी है कि अगर इस विधेयक की धारा 5 को पढ़ा जाये तो उससे धापको यह पता चलेगा कि कोम्बिज इस बात की गयी है कि दिखाने के लिये तो जो मजदूर हैं उनको लाभ दिया गया है, लेकिन एक हाथ से जो उनको लड़ू दिया गया है उसको दूसरे हाथ से छीनने की व्यवस्था की गयी है। मेरी समझ में नहीं आता कि किस प्रकार इस

विधेयक से मजदूरों को लाभ पहुंचेगा। इसमें यह व्यवस्था की गयी है कि अगर मिल के मालिकान किसी प्रकार का मुआहिदा कर लें तो उनको उसका लाभ मिलेगा। मैं यकीन दिलाना चाहता हूँ कि ऐं देश में जहां कि बेरोजगारी इतनी अधिक है जहां लोग पड़े लिखे नहीं हैं वे बड़ी आसानी से मिल मालिकान के शिकार हो सकते हैं और उनको इस प्रकार के कांट्रैक्ट में आसानी से बांधा जा सकता है।

इसी प्रकार जो पेनाल्टी लगाय रखा गया है उसके बारे में जो सब से बड़ी चीज मुझे कहनी है वह यह है कि बेखाने को तो रिकॉरिंग फाइम की व्यवस्था की गयी है लेकिन जो पेनाल्टी की व्यवस्था इन कानूनों में की जानी है वह बिल्कुल बेकार रहती है इसलिये उसको लागू कराने का कोई अधिकार मजदूरों को नहीं होता। इस कारण यह पेनाल्टी इनफेक्चुअस हो जाती है।

अंत में मैं कहूंगा कि ज्यादा अच्छा होता यदि मंत्री महोदय एक विधेयक स्पीयरवार लाते जिसमें इस प्रकार के सारे कदम उठाये जाते कि जो भी मजदूर हैं उन सब को लाभ पहुंचता और उनका जीवन ऐसा बन जाता कि कहा जा सके कि वे वैनफेयर स्टेट में हैं।

श्री रा० स० तिवारी (खजुराही) : सभापति महोदय, जो मुझसे सभिति ने बिना है, उसे सरकार ने मान्यता दी है और उसके अनुसार यह बिल लाया गया है। इसकी मुझे बड़ी खुशी है।

मुझे यह निवेदन करना है कि मेरे कई साथियों ने कहा है कि इन कानूनों से मजदूरों को लाभ नहीं हुआ रहा है। लेकिन यह निश्चित है कि जैसे जैसे मुद्दा होते गए हैं जैसे जैसे कानून में सुधार होता गया है और कानून अच्छा बनता गया है।

[श्री रा० स० तिवारी]

इस विषय में मेरा निवेदन है कि यदि मुनाफे में मजदूरों की सामेदारी कर दी जाए तो बहुत अच्छा हो। खेती में भी इसको लागू किया जाना चाहिए। आज हालत यह है कि जिसके पास जमीन है वह भ्रकेला उस पर काम नहीं कर सकता है, और जो काम करने वाले हैं उनके पास जमीन नहीं है। अगर खेती में मजदूरों की सामेदारी कर दी जाए तो मैं समझता हूँ कि खेती की बहुत उन्नति हो सकती है। भ्राघा हिस्सा मजदूर का हो जाएगा और भ्राघा किसान को मिल जाएगा। इस प्रकार पुराने जमाने में होता था। खेती की जुताई बुवाई मजदूर करता था और भ्राघा हिस्सा मजदूर को मिल जाता था और भ्राघा किसान को मिलता था। इसी प्रकार इस नियम को कोयला खानों में लागू कर दिया जाए। मजदूर जो कोयला खोदे उस की कीमत का बैल्यूएशन करके उसका भ्राघा मजदूर को दिया जाए और भ्राघा मालिक को दिया जाए। इस प्रकार और कामों में भी सामेदारी कर दी जाए। अगर ऐसा कर दिया जाए तो मैं समझता हूँ कि बार बार इस प्रकार के बिल लाने की आवश्यकता नहीं रहेगी और उत्पादन में किसी प्रकार की कमी नहीं होगी।

यही सुझाव मैं देना चाहता हूँ।

Shri R. K. Malviya: Mr. Chairman, I am very thankful to the House for giving general support to the Bill and also for forwarding some points which have thrown a great light on the labour problems which the country is facing today.

This legislation is a very limited one, confined only to amendment of a few sections of the Industrial Disputes Act. The general policy of the Government is that whatever legislation is brought before the House, it is brought forward with the consent of the tripartite bodies which first take into consideration these points.

The House knows well that we have an Indian Labour Conference which is represented by labour consisting of

all the parties, the four recognised Unions—Indian National Trade Union Congress, All India Trade Union Congress, Hind Mazdoor Sabha and the United Trade Union Congress. Almost all the big organisations of employers are represented on it. The public sector is also represented and the States too are represented. The Labour Ministers of States also participate in these conferences. All major decisions, at least those which are brought forward here in the form of Bills, are taken by them Conferences first. I may submit before the House that the amendments which have been brought forward here have been considered by the Indian Labour Conference. Though I must say that there is a lot to be done yet, it could not be done through this Bill and it will be difficult for me to accept any of the suggestions before they are accepted by the Indian Labour Conference.

There are important points which have been raised and they are always considered by this august body—I mean, the Indian Labour Conference. Shri Indrajit Gupta, who made out certain points, is himself a member of the Indian Labour Conference. He represented his party in the last Conference held towards the end of October. He can take the initiative and bring forward those points in the Conference for consideration. Whatever is decided by that Conference, the Government considers it and brings it up by way of legislation in the House.

Now I will reply to some of the points which have been raised by my hon. friends. The first point which has been raised by many of my hon. friends is that there should be a comprehensive piece of legislation. I am one with the hon. Members; but we are in a developing stage. Our industrialisation is proceeding ahead at a very fast rate. We are daily facing new problems. Therefore, we cannot make

a jump with regard to the enactment of the welfare legislation relating to the labour. For instance, we made a provision for the provident fund and we started with a contribution of 6 per cent. We have now increased it to 8 per cent in some industries. By and by, we will cover all the industries. Take, another instance where we have allowed certain privileges at present to the workmen who are getting Rs. 500. This wage limit may have to be increased. We have to do more by and by and problems like this will have to be solved by legislative amendments at short intervals. In this developing economy, we are required to watch the situation from day-to-day and whenever we are able to provide the slightest privilege to the workers, we have to come forward with an amendment. Even if a comprehensive legislation is made today, by consolidating all the amendments, it is not going to solve our problem.

I am at least happy and the House will also agree with me that there have been very many amendments in Labour Legislation. But the House would also remember that these amendments were very necessary. Sometimes, they were very small amendments where only one sentence had to be amended or a few words were to be added. But we had to come with those amendments. Therefore, it will not be in the interest of the workers to say that immediately a comprehensive Bill should come up immediately before the House. That is not going to solve the difficulties. I may tell the House that we shall be required to come before the House with small amendments probably every session. We may come with an amendment for amending these very provisions. Certain points have been made and we may be required to come with further amendments. Therefore, it is not convenient to have a comprehensive legislation. When the time is ripe, I may assure the House that we will not lag behind and we will bring forward a comprehensive legislation.

There is another point which has been raised by Shri Indrajit Gupta, Shri Kachwai, Shri Vidyalkar and other friends and that is about applying this Act to other workers also. This arose out of the amendment which gave powers to the Central Government to refer disputes of the airlines corporations. It has been said that the hospital workers, the workers employed in the educational institutions and the hotel and municipal employees should be brought within the purview of this Act. I may inform the House that the hospital employees are already covered by the Industrial Disputes Act. I may also inform the House that the hotel and the municipal employees are also covered by the Industrial Disputes Act. With regard to the employees employed in the educational institutions, there is a definite ruling of the Supreme Court in which they have discussed it at length as to why this could not be done.

Shri Priya Gupta: What about the clerks, typists and peons working in the educational institutions? They are not the teaching staff.

Shri R. K. Malviya: Under that ruling, they may not be treated as workmen in the educational institutions. Unless the ruling is changed...

Shri Priya Gupta: The ruling is given on the basis of the I.D.A. as it existed then. You gave protection to one category of workers and you also give protection to other categories of workers on the same basis.

Shri R. K. Malviya: I was just explaining it. In fact, when this point is raised in the Indian Labour Conference and if any formula is found out for the solution of the problem, we will have no objection to bringing forward the legislation. I was just submitting that only in those industrial institutions where education of the workmen formed a subordinate part, they were allowed to be covered by the Industrial Disputes Act under the Supreme Court's ruling, while the rest were not allowed.

Shri Priya Gupta: It is subordinate; education forms a subordinate part only because the public sector is under the same Government which has got the industry as well as the other wing namely the educational institution; it is only because of that it is sub-ordinate; it is subordinate to the same Government; you can interpret it that way and you can give protection to them in that way.

Shri R. K. Malviya: We shall look into it and see if they are covered by this ruling.

So far as the agricultural workers are concerned, about whom you, Madam, had also raised a point, I may submit that we have already got a legislation, namely the Minimum Wages Act, and we are trying to redress the grievances of those workers under the provisions of that Act. We have been writing to the State Governments also to take measures to improve the condition of the agricultural workers.

16.42 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

The main point raised by many Members was about the amendment of section 25(c), which makes provision for lay-off compensation. It is said, and to some extent, I am in sympathy with that argument, that the lay-off compensation should not be deducted from the compensation which may be allowed to the worker for retrenchment. That section also deals with the category of workers who may be covered by that provision. This provision was first made in 1953 and it was discussed at that time. Later on also this point has been discussed at length. I am aware of the misery of the workers. I know of cases where the poor workers have been laid off and they have not been paid either the lay-off or the retrenchment compensation. I know a case about one of the textile mills in

Madhya Pradesh where the workers fought the trade union leaders and the Government and wanted to work on reduced wages. It was a fact that the mill could not work, despite the fact that the Government insisted on payment of full wages and wanted to give some loan to the mill for this purpose. Because of the length of time of lay-off, the workers were very eager to go back to work and accept even reduced wages. This provision, I submit, should be considered in that light.

श्री हुकम चन्द्र कदवाय : कहां की मिल की ?

श्री २० कि० मासवीर्य : आप जानते ही हैं । राजनादगांव मिल ।

I was submitting that this provision should be considered in that light. I am sure that where the trade unions are strong, they will not allow the employer to play any mischief, and the workers' interests will be protected by them.

Shri Sinhasan Singh: How does the hon. Deputy Minister say so? From his own experience he has said that there have been cases where the workers have not been paid the lay-off compensation, and this proviso provides for the very same thing namely the non-payment of lay-off compensation. As a labour leader of experience, how does the hon. Deputy Minister reconcile himself to this provision and justify this provision?

Shri R. K. Malviya: That is what I am arguing at present. I am replying to that very point. I have said that there have been some cases. For instance, take a case where a mill is closed for genuine reasons.

I have just cited an instance. It could not be opened. I as one of the workers of that organisation, the bigger organisation, tried to intervene...

Shri D. C. Sharma (Gurdaspur): You are not a worker; you are Deputy Minister.

Shri R. K. Malviya: I am talking of the time when I was a labour worker. The workers jumped upon me asking me to allow them to accept reduced wages and allow them to work. Neither I nor the Government did allow. But then the workers settled it themselves.

Shri Priya Gupta: Take the case of the RSN companies during the Pakistan aggression. The work has been laid off. In such cases, provision should be made for giving them lay-off allowance.

Shri R. K. Malviya: I have already submitted that where there are strong unions, they will not allow the workers.....

Shri Priya Gupta: It is a national catastrophe, a national emergency—Pakistan aggression.

Shri R. K. Malviya: I do not yield because I have very limited time.

Shri Priya Gupta: You please keep this in mind.

Shri R. K. Malviya: Every case has got to be judged on its merits.

The question has been raised by several hon. Members about the badli workers, casual workers, temporary workers, substitute workers, that all the workers will be exploited under these provisions so far as lay-off compensation is concerned. I am in sympathy with my hon. friends. I know the cases of exploitation. Exploitation goes on. I know certain cases where through a court of inquiry an agreement was arrived at about abolition of the contract system, to regularise this badli and temporary worker system—an all-India agreement. It is not

being complemented properly. This agony is as great with me as with my hon. friends. I may only submit in reply that Government are contemplating bringing in legislation about the abolition and regulation of the contract system, and care will be taken to see that all these maladies are remedied and they do not trouble the workers.

Shri Kapur Singh: He is appeasing the communists.

Shri Priya Gupta: Also include casual labour there.

Shri R. K. Malviya: I will now deal with one or two more points. One is about delays. I am sorry there have been delays. In many cases, we have found that delays have occurred. One of the reasons is the accumulation of a large amount of cases with individual tribunals or labour courts. As has been announced by the hon. Labour Minister in the House, we are appointing two more tribunals, Central Government Industrial Tribunals, one at Calcutta and another at Jabalpur. At present, we have got only two, one at Dhanbad and the other at Bombay. When these two more Tribunals are established, I hope delay will be reduced to a great extent.

Shri Warrior: There is no tribunal for the southern region?

Shri R. K. Malviya: We have got officers of the State Governments as our tribunals. Sometimes we appoint them as labour courts. So there is a chance for quick settlement and disposal of these cases and delays will be reduced to a great extent.

Shri Limaye said that the conciliation officer in the Bombay Corporation case did conciliate the dispute, but had not submitted his report even after one year. For his information, I may submit that there is provision in section 12(6) of the Industrial Disputes Act, according to which a conciliation report has got to be submitted by the conciliation officer within 14 days.

Shri Priya Gupta: There is no provision, Read it correctly.

Shri R. K. Malviya: I do not want to waste the time of the House.

Shri Priya Gupta: There is no question of wasting time. You are giving wrong information to the House.

Shri Hari Vishnu Kamath: He should convince the House, because a Member has challenged him.

Shri R. K. Malviya: This is section 12—Duties of conciliation officers:

"(6) A report under this section shall be submitted within fourteen days of the commencement of the conciliation proceedings or within such shorter period as may be fixed by the appropriate Government:

"Provided that subject to the approval of the conciliation officer, the time for the submission of the report may be extended by such period as may be agreed upon in writing by all the parties to the dispute."

Shri Priya Gupta: But what about Government publishing the report? That is the point.

Shri R. K. Malviya: I have replied to both the points. I have replied to Shri Limaye's point that it is covered by this provision, and I have replied to the hon. Member's point that for reducing delays we are doing everything possible, and we are going to appoint two more tribunals.

I have covered almost all the important points. I thank Shri Bishen Chandra Seth for making the suggestion for profit-sharing by the workers. I would request him to start with this in his own establishments. I again thank the House for the suggestions made and for the support given to the Bill.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Industrial Disputes Act, 1947, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That Clauses 2 to 4 stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

Clause 5.— (Substitution of new section for section 25C).

Shri Warior: I beg to move:

(i) Page 2,—

omit lines 22 to 27. (1)

(ii) Page 2, lines 32 to 35,—

omit "and when he does so, any compensation paid to the workman for having been laid off during the preceding twelve months may be set off against the compensation payable for re-trenchment". (2)

Actually, in regard to Amendment No. 1, my intention was only to delete the words "if there is an agreement to that effect between the workman and the employer:" in lines 25 to 27. The Government can accept that, or if they say that they will bring forward an amendment to that effect at a later date, I am ready to accept that.

Shri R. K. Malviya: I have just now explained why these provisions are there. I have given the instance of a mill in which the workers themselves, despite the persuasion of the labour leaders and Government, accepted reduced wages. What to say of lay-off compensation? It is for such cases

that this provision has been retained. This was considered by the Indian Labour Conference. If they want to press for it, this can be taken again to the Indian Labour Conference and then alone we can accept it. I do not accept it.

Shri Warior: I do not press my first amendment. The second may be put to vote.

Mr. Deputy-Speaker: Has he the leave of the House to withdraw his Amendment No. 1?

Hon. Members: Yes.

The amendment No. 1 was, by leave, withdrawn.

Mr. Deputy-Speaker: I put Amendment No. 2 to the House.

The amendment No. 2 was put and negatived.

Mr. Deputy-Speaker: The question is:

"That Clause 5 stand part of the Bill."

The motion was adopted.

Clause 6.- (Amendment of Section 29)

Shri Priya Gupta: We again submit on this Clause that this word "continuous" should be replaced by "continuity", if at all the whole thing cannot be deleted. Any worker, even if he is on his job for a number of days, he should be allowed this privilege.

Shri R. K. Malviya: That is in the Act; it does not require any further amendment. This provision has been made. When an employer was prosecuted for a certain offence he got acquitted after payment of fine and he was not required to pay the amount of claim. Now, we have made this provision. If after conviction he does not fulfil any obligation under the settlement or the award, he will have to pay continuously certain amount of fine per day till he makes payment.

Shri Priya Gupta: With retrospective effect from the date on which the violation has been done, not from the date of the order.

Shri R. K. Malviya: If it is provided in the award or settlement, that will be payable.

Mr. Deputy-Speaker: The question is:

"That Clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri R. K. Malviya: Sir, I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill be passed."

Shri Warior: Sir, we are glad the Minister has come forward with a promise that there will be more amendments to this Act to bring it in line with the actual realities that obtain in the country. Apart from the points which we had raised, we had also to mention one other point whenever a worker is dismissed on some charge brought forward by the employer, there is a procedure followed. Now, the Supreme Court has come down upon the tribunals in the sense that the tribunals are not to go into the merits of the case or into the evidence of the case but can only review them if the procedure adopted is correct or not according to the law; that is all. They cannot go into the merits of the case. I think government will be well advised to take this also into consideration and instead of bringing in piecemeal amendments let us have a full study of the whole situation and have a cum-

[Shri Warior.]

prehensive legislation covering all these difficulties which the trade union movement as well as the employees are facing in having their rights established and honoured by the employers and other agencies in this country. I think the government will bear this in mind. This will come before the tribunal and the tripartite committee. But the government also must have a new approach to these problems and its attitude must also undergo a change so that government will not be taken by surprise so that it will be in a position to understand these problems and take the proper course of action in the prevailing conditions.

Shri Priya Gupta: Sir, I have got a small submission. During Pak aggression, special circumstances have arisen and some boats and vessels have been seized by them and water route from Calcutta to Assam dislocated, and due to that the workshop at Rajabagan in Calcutta of the RSN Company had been affected very badly and about two thousand workers had been laid off. This embargo of reduced wage for these 45 days should not apply as a large number of workers will be deprived of their wages and be a subject of victimisation of Pakistan aggression. The labour ministry should approach the defence ministry production department to give them some other work in these exceptional circumstances. The shares of RSN company are held—76 per cent of its shares—by the government of India, and it is very useful to the defence ministry. They are in search of other dock and naval yards for repairs and building ships. This yard of RSN Co. with three Dry Docks and two ships can build and repair naval ships and frigates for our vast coastal areas. There are a large number of skilled workers there and they could be made use for other production works for the war efforts.

17 hrs.

श्री हुकम खन्व कछवाय : मैंने कहा था कि मध्य प्रदेश में जो उद्योग हैं उनमें यह प्रथा प्रचलित है कि मजदूर का जो बयान कम्पनी के मैनेजर और लेबर आफिसर के सामने होता है उसी को उद्योग कोर्ट में माना जाता है, उसका नया बयान नहीं लिया जाता। मेरा निवेदन है कि उसको उद्योग कोर्ट में फिर से बयान देने का मौका दिया जाए।

इसके बाद मैंने कहा था कि मजदूरों के झगड़ों साधारण सिविल कोर्ट्स में धीरे धीरे कोर्ट में भेजा जाए उद्योग अधिनियम में नहीं। इसमें खर्च बहुत पड़ता है, धीरे मजदूर वकील की फीस नहीं दे पाते। मेरा निवेदन है कि मजदूरों के लिये सरकार को फ्री वकील की व्यवस्था करनी चाहिए ताकि वे अपना केस ठीक प्रकार से ट्राईबूनल में लड़ सकें।

Shri R. K. Malviya: So far as Shri Warior's contention is concerned, I have nothing to add. I have already submitted that his party is represented in the Indian Labour Conference and any of the question which agitates the mind of my hon. friend can be taken to the Indian Labour Conference and discussed there and a remedy found out.

So far as the point raised by Shri Priya Gupta is concerned, I would request him to come sometime to the Ministry and discuss it personally, and I will see what can be done in that case.

Shri Priya Gupta: Thank you very much.

श्री ए० कि० मालवीय : कछवाय साहब ने कहा कि मजदूरों के केस लेबर कोर्ट को न भेज कर सिविल कोर्ट धीरे धीरे कोर्ट को भेजे जाएं। हायद उनको यह मालूम नहीं कि इंडस्ट्रियल डिस्प्यूट्स एक्ट के मातहत हमको लेबर कोर्ट्स की साने में कितनी कठिनाई हुई है। सिविल कोर्ट में जो

मुकदमों की फंसलों की हालत है उसको वह थोड़ा बहुत जानते होंगे । हर कोई जानता है कि वहां फंसला होने में बरसों लग जाते हैं, कभी कभी तो दस दस साल लग जाते हैं । इसलिए कोशिश की गयी कि इस काम के लिए प्रलग कोर्ट्स बनाएं जाएं और उसी के माफिक भाज काम हो रहा है । अगर कछवाय साहब को ऐतराज है कि जब ठीक नहीं है तो उनकी शिकायत करें, उनका बदला मजदूरों से न लें । अगर बरकर के केसेज को सिविल कोर्ट में भेजा जायगा तो बरकर पिस जाएगा । जो सुझाव भेरे वोस्त ने दिया है वह लेबर के हक में नहीं है इसलिए मैं उसका नहीं मान सकता ।

जहां तक प्रपील का सवाल है लेबर कोर्ट की प्रीर ट्राईब्यूनल की प्रपील सुप्रीम कोर्ट तक हो सकती है ।

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

17.03 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, November 12, 1965/Kartika 21, 1887 (Saka).